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BOOK 283 PAGE 04

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The first and final account and report of MILO AESCHLIMANN, as executor and CLAUDE U. SHIPLEY, as the co-administrator with will annexed of the estate of CLAUDE JENNINGS WALLING, deceased; Application for Approval of Costs, Commissions and Attorney Fees; and petition for final distribution having come on regularly for hearing on October 11, 1994, before the undersigned District Judge; notice having been given by certified mail, return receipt requested to the heirs of the estate; and by publication of notice in the Reno Gazette Journal with proof of mailing and publication having been filed with the court, the court finds that notice of the hearing of said first and final account and report of executor and co-administrator with will annexed; Application for Approval of Costs and Attorney Fees; and petition for final distribution has been given in the manner and for the

ORDER APPROVING FIRST AND
FINAL ACCOUNT AND REPORT OF
EXECUTOR AND CO-
ADMINISTRATOR WITH WILL
ANNEXED; AWARDING COSTS
COMMISSIONS AND ATTORNEY
FEES; AND PROVIDING FOR
FINAL DISTRIBUTION

Deceased.

CLAUDE JENNINGS WALLING,

IN THE MATTER OF THE ESTATE OF

* * *

IN AND FOR THE COUNTY OF WASHOE

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

94 OCT 11 AM 5:1

M. Lopez

FILED

Case No. CV93-01581

Dept. No. 10

157963

1 time required by law; and the Court having reviewed the accounting
 2 and documents filed by the Executor and Co-Administrator with Will
 3 Annexed, further finds as follows:
 4 1. That the allegations of said First and Final Account
 5 and Report of Executor and Co-Administrator with Will Annexed are
 6 determined to be true; that said First and Final Account including
 7 the exhibits attached thereto provide a complete, correct and full
 8 disclosure of the transactions of the Executor and Co-Administrator
 9 with Will Annexed during the account period.
 10 2. That the Decedent, CLAUDE JENNINGS WALLING, died
 11 testate on December 10, 1992, in Reno, Washoe County, Nevada having
 12 executed a will dated May 6, 1980 which was admitted to probate on
 13 April 16, 1993 as the last will and Testament of the decedent.
 14 3. That an order appointing MILO AESCHLIMANN as
 15 Executor and CLAUDE U. SHIPLEY as Co-Administrator with Will
 16 Annexed was entered on April 16, 1993; that MILO AESCHLIMANN and
 17 CLAUDE U. SHIPLEY became duly qualified as Executor and Co-
 18 Administrator with Will Annexed of said Estate, took the oath of
 19 office and received joint Letters Testamentary and Letters of
 20 Administration on April 16, 1993; and that MILO AESCHLIMANN and
 21 CLAUDE U. SHIPLEY have ever since been and now are the duly
 22 appointed, qualified and acting Executor and Co-Administrator with
 23 Will Annexed of the Estate.
 24 4. That Notice to Creditors of the Administration of
 25 said Estate and of the Appointment of MILO AESCHLIMANN as Executor
 26 and CLAUDE U. SHIPLEY as Co-Administrator with Will Annexed was
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1 duly given as required by law and the order of the court with
 2 publication thereof being made in the Reno Gazette-Journal
 3 commencing May 13, 1993; that proof of the publication of Notice to
 4 Creditors has been filed with the court; that the time for filing
 5 of claims against the Estate expired and lapsed as of August 11,
 6 1993; and that all claims filed against the estate have been paid
 7 and satisfied.

8 5. That on May 9, 1994, the Executor and Co-
 9 Administrator filed an Inventory, Appraisal and Record of Value
 10 which identified the assets of the Decedent and indicated that the
 11 gross value of the assets of the Estate as of the date of death of
 12 the Decedent was \$161,242.00; however, after the inventory was
 13 filed the unimproved property located at 18990 Pinion Pine Avenue,
 14 Cold Springs, Washoe County, Nevada and the unimproved property
 15 located at 3650 Twain Avenue, Silver Springs, Lyon County, Nevada
 16 were sold resulting in adjustments to the gross value of the
 17 decedent's estate as reflected in the First and Final Account and
 18 Report filed with the court.

19 6. That during the course of administering the Estate,
 20 the Executor and Co-Administrator entered into the transactions set
 21 forth in the First and Final Account filed with the court which
 22 they request the court to ratify, confirm and approve; and that
 23 after taking into account the transactions entered into by the
 24 Executor and Co-Administrator, the income received and the
 25 expenditures made during the accounting period, the Estate of the
 26 Decedent consists of \$149,158.71 on deposit with Bank of America in
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1 an estate money market account and the unimproved property located
 2 in the Walker Villa Subdivision in Crescent Valley, Eureka County,
 3 Nevada (APN 3-353-02) valued at \$4,000.00, so that the total value
 4 of the estate for purposes of distribution is \$153,158.71.
 5 7. That Robert J. Fry, Esq. has incurred or has accrued
 6 \$807.08 in expenses in connection with the Estate of CLAUDE
 7 JENNINGS WALLING and requests reimbursement therefor.
 8 8. That the Executor MILO AFSCHLIMANN has performed
 9 ordinary services on behalf of the decedent's estate, but waives
 10 the commission otherwise payable to him under NRS 150.020; and that
 11 CLAUDE U. SHIPLEY as Co-Administrator has performed ordinary
 12 services on behalf of the decedent's estate and pursuant to NRS
 13 150.020 requests compensation in the amount of \$2,218.48.
 14 9. That Robert J. Fry, Esq. was employed by the
 15 Executor and Co-Administrator to represent them and the Estate, to
 16 assist in the preparation of inventories and accountings, to
 17 monitor and account for the receipt of income and the payment of
 18 the Decedent's bills, to assist in the marshaling of the Decedent's
 19 assets, to file all petitions, reports, notices and documents
 20 necessary or incidental thereto and to render all legal assistance
 21 required to accomplish the foregoing; that attached to the first
 22 and Final Account as Exhibit D is a complete schedule of the legal
 23 services rendered by Robert J. Fry, Esq. and that pursuant to NRS
 24 150.060 the Executor and Co-Administrator have agreed to pay Robert
 25 J. Fry, Esq. \$12,750.00 for the legal services rendered.
 26 10. That after paying the costs and fees allowed by the
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1 Court, the Estate is in a position to be closed and the remaining
2 assets distributed to DOROTHY V. AESCHLIMANN as the sole surviving
3 sister of the decedent according to the Last Will and Testament of
4 the decedent.

5 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGES AND DECREED

6 as follows:

7 1. That the first and final Account and Report of MILO

8 AESCHLIMANN as Executor and CLAUDE U. SHIPLEY as Co-Administrator

9 with will Annexed of the Estate of CLAUDE JENNINGS WALLING, be and

10 the same is hereby settled, allowed and approved.

11 2. That CLAUDE U. SHIPLEY as Co-Administrator with will

12 Annexed be paid a commission for his services and that the Executor

13 and Co-Administrator be, and they are hereby authorized and

14 directed to pay to CLAUDE U. SHIPLEY the sum of \$2,218.48.

15 3. That Robert J. Fry, Esq. be reimbursed and MILO

16 AESCHLIMANN and CLAUDE U. SHIPLEY be and they are hereby authorized

17 and directed to pay to Robert J. Fry, Esq. the costs and expenses

18 advanced or incurred in the sum of \$807.08.

19 4. That Robert J. Fry, Esq. be compensated for the

20 legal services rendered by him and that the Executor and Co-

21 Administrator be, and they are hereby authorized and directed to

22 pay Robert J. Fry, Esq. the sum of \$12,750.00.

23 5. That after the payment of the costs, commissions and

24 attorney's fees allowed herein the cash and other assets remaining

25 in said Estate account together with such additional income or

26 assets received after the period of this account be distributed to

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DOROTHY V. AESCHLIMANN as the sole surviving sister of the decedent

in accordance with the terms of the Last Will and Testament of the

decedent.

6. That upon filing the appropriate distributee's

receipt and vouchers verifying distribution of the remaining assets

of the estate, the Executor and Co-Administrator be discharged and

the Estate of CLAUDE JENNINGS WALLING closed.

DATED this 11 day of October, 1994.

James A. Stone

DISTRICT JUDGE

CERTIFIED COPY
The document to which this certificate is at-
tached is a full, true and correct copy of the
original on file and of record in my office.
DATE: 001-1-1994
JUDI BALEY, Clerk of the Second Judicial
District Court, in and for the County of
Washoe, State of Nevada
By [Signature] Deputy.

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BOOK 283 PAGE 004
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Robert J. [Signature]
95 MAY 18 AM 11:04
EUREKA COUNTY NEVADA
M.N. REBAL/EA/REORDER
FILE NO. _____
FEES \$12.00

157963