

CASE NO. 1134-PR

DEPT. 2

NO. FILED

FEB 2 1996

JOAN SHANGLE, CLERK

BY *Joan Shangle* DEPUTY

IN THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF EUREKA

IN THE MATTER OF THE ESTATE OF )

ORDER SETTLING FIRST AND )

FINAL ACCOUNTING: APPROVAL )

OF ATTORNEY FEES AND ORDER )

FOR DISTRIBUTION )

DECEASED. )

CATHERINE NORO EDWARDS, Executrix of the Estate of WALTER

HOWARD EDWARDS, Deceased, together with SHELBY HOWARD EDWARDS

and MARTIN THOMAS EDWARDS, who constitute all of the sole Heirs-at-Law and

sole devisees and legatees of Decedent having on the 2nd day of February,

1996, filed herein a Final Petition and Waivers of First and Final Accounting,

Waivers of Hearing and Notice of Hearing; Approval of Attorney fees; and Petition

for Final Distribution, which, without objection or protest by any person or entity,

being presented on the record and to the satisfaction of the Court that all required

legal notices of hearing have been waived by all Heirs-at-Law, Devisees and

Legatees, AND GOOD CAUSE APPEARING,

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**THE COURT HEREBY FINDS:**

1. That due and legal notice of hearing of said Petition in all respects has been waived by all persons interested in said estate and specifically waived by all Heirs-at-Law, Deviseses and Legatees.

2. That due and legal notice to creditors of said estate has been given in the manner and for the time required by law, and that the time for the filing of creditors claims has expired.

3. That the First and Final Accounting has been waived by all persons interested in said estate and specifically waived by all Heirs-at-Law, Deviseses and Legatees, who have been fully informed by the Executor.

4. That the Executor caused to be made and returned to the Court a true inventory and appraisalment of all of the assets (real and personal property) of the probate estate of the deceased indicating a total value of \$45,161.00, agreed to by all Heirs-at-Law, Deviseses and Legatees;

6. That the only known heirs-at-law of the Decedent, and Deviseses and Legatees under the Last Will and Testament of the Decedent, so far as known to the Executrix and the other Petitioners are:

<u>NAMES AND ADDRESS</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
CATHERINE NORO EDWARDS 2721 N. 25th Street Phoenix, AZ 85008	Adult	Sister

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NAME                      AGE                      RELATIONSHIP

SHELBY HOWARD EDWARDS -      Son      -      Adult  
8117 Pinewood Dr.  
Juneau, AK 99801

MARTIN THOMAS EDWARDS -      Son      -      Adult  
20318 Bothell-Everett Hwy  
Box A - 202  
Bothell, WA 98012

7.      That the value of the Estate was such that it was not necessary

to file a 706 Federal Estate Tax Return. As necessary, the Executrix shall cause

to be prepared and timely file all final and fiduciary tax returns for the Decedent

and Decedent's Estate. CATHERINE NORO EDWARDS, personally has agreed

and shall pay all taxes due and owing.

8.      That P. MICHAEL MARFISI, ESQ., Attorney at Law, Elko,

Nevada, has performed legal services for said Estate. Pursuant to agreement

between the Executrix, heirs-at-law and the Attorney, said Attorney is has been paid

a reasonable fee in the sum of \$3,000.00, but shall be reimbursed all costs and

expenses advanced by said Attorney, which to date are \$290.50.

9.      That all known legal creditors of the estate have been paid.

10.      That CATHERINE NORO EDWARDS, the sister of Decedent

herein, disclaimed and waived her interest in the probate Estate and requests equal

distribution of the remainder of the probate estate be made to the remaining Heirs

at Law, Devisees and Legatees, to wit: SHELBY HOWARD EDWARDS and

MARTIN THOMAS EDWARDS, Decedent's children, who are entitled thereto.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND

DECREED:

1. That due and legal notice of the hearing of said First and Final Account, Application for Approval of Attorney Fees and Petition for Distribution has been given to all persons interested in said estate or entitled to notice thereof, all of whom have filed Waivers and Consents herein.

2. That Notice to Creditors has been given for the time and in the manner as provided by law, and that the time for the presentation of creditors claims has expired. That all known creditors have been paid, including all funeral and expenses of the last illness of decedent.

3. That the First and Final Accounting of this probate estate by the Executrix has been waived by all Devises, Legatees and Heirs-at-Law of the Decedent and all interested persons have therefore been fully informed by the Executrix of all assets, receipts, debts and disbursements made of this probate estate. That the Court hereby deems the First and Final Accounting having been waived, is deemed approved, settled, ratified and confirmed.

4. That P. MICHAEL MARFISI, ESQ has performed services to the estate and that said attorney is entitled to and has been paid reasonable fee in the sum of \$3,000.00. P. MICHAEL MARFISI, ESQ, is entitled to reimbursement of costs advanced, and to date in the sum of \$290.50.

5. That CATHERINE NORO EDWARDS, as Executrix, has waived her statutory fees and commissions; and CATHERINE NORO EDWARDS, has

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1 disclaimed, renounced and waived all right, title and interest to this probate estate

2 of the decedent, thereby SHELBY HOWARD EDWARDS and MARTIN THOMAS

3 EDWARDS, the decedents adult sons, are entitled thereto to equal shares thereof.

4 **6. DECREE OF DISTRIBUTION:**

5 Upon the Executrix, personally satisfying any and all tax obligations

6 owing by the decedent and payment of all costs of probating this estate, THEN,

7 All of the rest, residue and remainder of the probate estate of WALTER HOWARD

8 EDWARDS, shall be, and is by this Decree of Distribution, distributed to SHELBY

9 HOWARD EDWARDS and MARTIN THOMAS EDWARDS, in equal undivided one-

10 half (50%) interests, as his sole and separate property, respectively, all of the

11 following described real and personal property located in Eureka County, Nevada:

12 Real Property: County of Eureka, State of Nevada

13 S 1/2, SW1/4, NE1/4, Section 29, T.29N., R.48E, MDB&M

14 Parcel No.3-141-13 Roll 00944

15 HCR 66-26

16 Personal Property

17 Misc. personal property and personal effects of decedent in possession and

18 control of decedent's children, SHELBY HOWARD EDWARDS and MARTIN

19 THOMAS EDWARDS;

20 One-1972 Lincoln-VIN 1122787418 (Junk and disabled)

21 One-1964 International Pickup-VIN SB415416A (Junk and disabled)

22 One-1969 Volkswagen-VIN 239174480 (Junk and disabled)

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED, THAT

SHELBY HOWARD EDWARDS and MARTIN THOMAS EDWARDS, are entitled to have and are hereby distributed in equal undivided (%50) interests, as his sole and separate property, respectively, any and all property or assets of any name or nature, real or personal, in and to which the probate estate of Decedent had any right, title or interest, which probate estate property may have been inadvertently misdescribed or omitted, or now unknown is later discovered.

Dated this 2nd day of February, 1996

*[Signature]*  
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  
WITNESS, My Hand and Seal of said  
DISTRICT COURT, this 2nd  
day of February, 1996  
*[Signature]*  
County Clerk and Ex-Officio Court Clerk  
Deputy Clerk *[Signature]*

BOOK 293 PAGE 288  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*P. Maxwell Maxwell, et al*  
96 FEB -2 PM 1:26

EUREKA COUNTY NEVADA  
M.N. REBALLETI, RECORDER  
FILE NO. *12.00*

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