Refunction File

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

)No. 2612

In the Matter of the Estate of

PEARL GRIFFIN,

 Deceased,

)Filed: April A, 1969.

Clerk

Small Mall , Deputy

DECREE SETTLING FIRST AND FINAL ACCOUNT AND PETITION FOR DISTRIBUTION

ROWENNA WALKER and MARGUERITE McBRIDE, Joint Administratrices C.T.A. of the Estate of PEARL GRIFFIN, Deceased, having on the 28th day of March, 1969, rendered and filed herein a full account and report of their administration of said Estate, as well as that of DONALD GRIFFIN, prior Executor of said Estate, according to records on hand (though not required), which said Account was for a final settlement, and having with said Account filed a Petition for the final distribution of said Estate, and hearing on said Account and Petition having been set for the 8th day of April, 1969, at the hour of 10:00 A.M., and having come on for hearing on the 16th day of April, 1969, at the hour of 10:00 A.M., and proof having been made to the satisfaction of the Court that due and legal notice of the settlement of said Account and the hearing of said Petition for Distribution had been given as required by law and the Order of this Court;

THE COURT HEREBY FINDS:

1. That the First and Final Account is in all respects true and correct and that said Account is supported by proper youthers.

That said Joint Administratrices C.T.A. posted bond, pursuant to the Order of this Court, in the sum of \$3,000.00. 4. That all Creditors Claims duly filed and approved

in said Estate have been paid in full.

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. 5. That the funeral expenses and costs of last illness have been paid.

6. That all taxes of every name or nature required to be paid by Decedent's Estate have been paid.

7. That WILSON and WILSON, Attorneys for said Estate, have an agreed fee for its services, with the Joint Administratrices C.T.A., in the sum of \$3,044.10, which is a reasonable fee.

8. That the firm of WILSON and WILSON, as said Attorneys, has advanced the sum of \$57,00 as costs of administration and will incur necessary closing costs in the sum of \$26.50 in connection with the Estate of JAMES J. GRIFFIN, and said firm is entitled to be reimbursed therefor.

9. That the firm of WILSON and WILSON, as said Attorneys, has advanced the sum of \$87.43 as costs of adminitration and will incur necessary closing costs in the sum of \$29.00 in connection with the Estate of PEARL GRIFFIN, and said firm is entitled to be reimbursed therefor.

10. That the Joint Administratrices C.T.A., have waived payment of commissions from the Estate.

11. That the Appraisers, (FRED B. HARRIS, HUGH D. McMULLEN and JAMES M. OLIN, have not been paid their fees herein or for the appraisal in the Estate of JAMES J. GRIFFIN, Deceased. That there be allowed, from the over-all appraisal bill, the sum of \$100.00 to each of said Appraisers, in full for services to. the Estate of JAMES J. GRIFFIN and the Estate of PEARL GRIFFIN, sonies on hand herein, and that such is a

separate property. That pursuant to the terms of Decedent's Will, since JAMES J. GRIFFIN predeceased Decedent, all of the properties of the Estate available for distribution should be distributed, share and share alike, unto ROWENNA WALKER, MARGUERITE MCBRIDE, and RUTH GRIFFIN, as the Administratrix of the Estate of DONALD GRIFFIN, Deceased, excluding only the property described in the Petitien for Distribution as Parcel 2 of property owned by Decedent and not a part of the partnership assets, said Parcel 2 being lots and improvements situate in the Townsite of Jarbidge, County of Elko, State of Nevada. That the properties comprising said Estate to be distributed, after the payment of the aforesaid costs of administration, are hereinafter specifically described.

13. That ALLEN T. GRIFFIN, the surviving partner in possession of the partnership properties of Griffin Bros., appeared at the hearing of this Petition, together with his Accountant, HAYDEN HENDERSON, JR., and presented his accounting as surviving partner from the date of death of JAMES J. GRIFFIN on March 13, 1965, to date of April 16, 1969, which account was approved and confirmed by the Court, subject to examination by the Court of the written accounting to be filed herein by HAYDEN HENDERSON, JR. forthwith.

14. That said Estate is in all respects ready to be odistributed.

A. That due and legal notice of the hearing of said First and Final Account and Petition for Distribution was given as provided by law. That the First and Final Account of said

Joint Administratrices C.T.A. be, and the same hereby is finally settled, allowed and approved.

. Waster, B. That it is agreed fee of 33,044,10 be allowed and

paid unto the firm of WILSON and WILSON, Attorneys for said Estate, in full of its services.

- C. That there be allowed and paid unto the firm of WILSON and WILSON, as said Attorneys, the sum of \$57.00 in full of costs of administration advanced by said Attorneys and necessary closing costs in the sum of \$26.50, in connection with the Estate of JAMES J. GRIFFIN.
- D. That there be allowed and paid unto the firm of WILSON and WILSON, as said Attorneys, the sum of \$87.43 in full of costs of administration advanced by said Attorneys and necessary closing costs in the sum of \$29.00, in connection with the Estate of PEARL GRIFFIN.
- E. That no commissions be allowed unto ROWENNA WALKER and MARGUERITE McBRIDE, Joint Administratrices C.T.A. for their services to said Estate.
- F. That there be allowed and paid unto FRED B. HARRIS, HUGH D. McMULLEN and JAMES M. OLIN, Appraisers, the sum of \$100.00 each.
- G. That JOHN H. WALKER performed work for Griffin Bros. partnership during the administration of said Estates; however, he waived any payment for same in Open Court and, accordingly, no payment for said services shall be allowed.
- H. That the accounting of ALLEN T. GRIFFIN, the surviving partner in possession of the partnership property of Griffin Bros., be, and the same hereby is ratified, approved and confirmed, subject to any subsequent Order of the Court made necessary by examination of the final written; accounting to be filed herein.
- 1. That all interested parties having waived their rights to an undivided one-half interest in and to Lots 1, 2

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State of Nevada, together with the improvements thereon, by conveyance unto ROWENNA WALKER and JOHN H. WALKER, her husband, heretofore recorded in Book 82, Official Records, page 194, Elko County Recorder's Office, said property be and the same hereby is distributed unto said ROWENNA WALKER.

J. That there be and hereby is distributed unto ROWENNA WALKER, MARGUERITE McBRIDE, and RUTH GRIFFIN, as Administratrix of the Estate of DONALD GRIFFIN, Deceased, Probate No. 2643, share and share alike, (being an undivided one-third interest to each of said persons), the following real and personal property:

Lots 5, 6 and one-half of Lot 7 lying next to and adjacent to said Lot 6, in Block K of the Town of Carlin, County of Elko, State of Nevada, as the same appear upon the official map or plat of said Town on file in the Office of the Elko County Recorder.

TOGETHER WITH all buildings and improvements thereon.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TOGETHER WITH all furniture and fixtures situate on or about the above premises.

Lots one, Two, Three, Four, Five, Six, Seven and Eight in Block 63 of the Town of Eureka, County of Elko, State of Nevada, State of Nevada, as the same appear upon the official map thereof on file in the Office of the Eureka County Recorder.

TOGETHER WITH all improvements situate thereon.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereofs.

Savings Bends:

C34472250E - \$100.00

C3562454E - \$100.00

C3562454E - \$100.00 TOGETHER WITH the tenements, hereditaments and

C3562454E - \$\$100,00 Q355274806E- \$25,00 09411063E - \$25.00 012234901E 4 \$25.00

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A SUB-CONTRACT AND A SUB-CONTRAC

ROWENNA WALKER, MARGUERITE McBRIDE, and RUTH GRIFFIN, as Administratrix of the Estate of DONALD GRIFFIN, Deceased, each one—third of the remaining monies on hand in the Estate bank accounts, after the payment of the above-described costs of administration, and including any accruing interest which may have been earned by monies in estate savings accounts.

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L. That there be and hereby is distributed unto ROWENNA WALKER; MARGUERITE McBRIDE, and RUTH GRIFFIN, as Administratrix of the Estate of DONALD GRIFFIN, Deceased, share and share alike, (being an undivided one-twelfth interest to each of said persons), the following real and personal property which had comprised an undivided one-fourth interest in the Griffin Bros. partnership:

(Descriptions commence on Page 7 hereof.)

Township 32 North, Range 51 East, MDB&M

Section 4: SW4; NW4SE4; Lot 11

Township 32 North, Range 52 East, MDB&M

SEASEA Section 5:

Section 8: Ether; NEWSEN; SENSWA

EXCEPTING therefrom a strip of land 100 feet in width conveyed by GEORGE McINTOSH to WESTERN PACIFIC RAILWAY COMPANY by deed recorded June 25, 1906, in Book 29 of Deeds at page 100, Elko County, Nevada, records.

SWANEX

Section 10: Section 14: SWANWA: NEWSWA

Section 17: ALL, excepting therefrom, a strip of

land 400 feet in width as reserved by CENTRAL PACIFIC RAILWAY COMPANY in Deeds to THOMAS GRIFFIN recorded in Book 23 of Deeds at page 756 and Book 38 of Deeds at page 7, Elko County, Nevada, records, and Book 18 of Deeds at page 367, Eureka County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 100 feet in width conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 29 of Deeds at page 98, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 200 feet in width conveyed to WESTERN PACIFIC RAILWAY COMPANY by CENTRAL PACIFIC RAILWAY COMPANY in Deed recorded in Book 31 of Deeds at page 71, Elko County, Nevada, records and Book 16 of Deeds, page 108, Eureka County, Nevada records Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 50 feet in width conveyed by THOMAS GRIFFIN, at ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 31 of Deeds at page 401, Elko County, Nevada, records.

Section 20: WonWa; NW4SW4

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EXCEPTING therefrom a strip of land 400 feet in width over the W2NW2 of said section conveyed by THOMAS GRIFFIN et ux, to CENTRAL PACIFIC RAILWAY COMPANY by deed recorded in Book 27 of Deeds at page 365, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 100 feet in width conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY, recorded in Book 29 of Deeds at page 98, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom three strips of land 50 feet in width conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 31 of Deeds at page 401, Elko County, Nevada, records.

Section 24: SW4SW4

Township 33 North, Range 52 East, MDB&M

Section 25: SYNY; NYSWA

EXCEPTING therefrom a strip of land 100 feet in width lying within the ShNE4 of said Section 25, conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 29 of Deeds at page 98, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 200 feet in width lying within the SMNW% of said Section 25, conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 31 of Deeds at page 401, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 225 feet in width in the Shawa of said Section 25, bounded on the Southerly side by the Northerly right of way line of the WESTERN PACIFIC RAILWAY COMPANY; bounded on the Northerly side by a line drawn parallel to said Northerly right of way line and 225 feet distant measured at right angles northerly therefrom; bounded on the west end by the west line of said Section 25 and bounded on the east end by a line drawn at right angles to said northerly right of way line and 1000 feet easterly from said west line of said Section 25 measured on the centerline of said strip together with a strip of land 80 feet in width extending northerly from the northerly boundary line of the parcel described above to the lands of Central Pacific Railway Company, as conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY recorded in Book 33 of Deeds at page 117, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom two parcels of land lying within the SYNW4 of said Section 25 conveyed by THOMAS GRIFFIN to CENTRAL PACIFIC RAILWAY COMPANY recorded in Book 41 of Deeds at page 295, said deed stating that the two parcels contain 2.759 acres.

Section 26:

That portion of the SE% and S\(\sum_SW\(\) lying southerly of the southerly boundary line of those parcels conveyed to the WESTERN PACIFIC RAILWAY COMPANY by THOMAS GRIFFIN, et ux, by deed recorded in Book 31 of Deeds at page 401s by WILLIAM GRIFFIN recorded in

Atterneys At Less Ellie, Nevedo

Book 31 of Deade at page 458, and southerly of the southerly bourcary line of the parcel conveyed by Irone's GRIFFIN to 3, W. FUEII by deed recorded in Book 28 of Deeds at page 459 all blue founty. Nevada, racords

EXCEPTING therefrom those thise parcers of lend lying in the Score and MySeX of sale Section 26 conveyed by DYMAG GRIFFIN at u. to MFSTAN PWITTIC RATEGAR (CMPACT by demonstration of Section 20 of Section 21) page 238 and in Book 46 of Section page 733 all fixe County Nevadr resource

Section 27 That portion of the SEMSEM Lying southers of that pertal conveyed by THOMAS GRIFFIN et us, to MESIFRN PACIFIC REJEMAY TOWNPANY recorded in Book 12 of Deads at page 401, Elko County, Navada, records

EXCEPTING therefrom those two parcels conveyed to the CENTRAL PACIFIC HAILMAY COMPANY by Deeds recorded in Book 35 of Deeds at page 278 and Book 47 of Deeds at page 345, 80% County, Newada, records, which deeds state that the two parcels contain 1 097 acres

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EXCEPTING therefolds a strop of carying widens conveyed by TROMAS GRIFFIN, at us, to GENTRAL PACIFIC HAILMAY COMPANY recovered in Book 27 of Deads at page 365. Elko County Navada, caroxda

FURTHER EXCEPTING therefrom a strip of tard of varyin, width conveyed by INDMAS GRIFFIN, at or, to WESTERN PAGIFIC RAILWAY COMPANY by damp recorded in Book 29 of Deeds at page 98, Elko Councy, Nevada, records

FURTHER EXCEPTING therafrom that parcel along with all abutters rights, including access rights, conversed by ALLEN T. GRIFFIN, at all to STATE Of NEVADA recorded in Book 69 of Official Records at page 527. Elko County, Nevada, records

FURTHER EXCEPTING therefrom that portion of the SEASEA of said Section 20 along with all abutters rights, including access rights, conveyed by ALLEN T GRIFFIN, recorded in Book 69, Official Records, page 530, Elko County, Navada,

Section 28: NENTE

EXCEPTING therefrom a strip of land #00 feet in width conveyed by THOMAS GRIFFIN; et uz, to CENTRAL PACIFIC RAILWAY COMPANY recorded in Book 27 of Deads at page 365; Elko County, Neveds, records.

FURTHER EXCEPTING therefrom a strip of land 200 feet in width conveyed by THOMAS GRIFFIN, et ux, to WESTERM PACIFIC RAILWAY COMPANY recorded in Book 29 of Daeda at page 98; Elko County; Nevada, records.

MISON and MISON Attorneys At Law Elke, Nevede

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FURTHER EXCEPTING therefrom all that portion lying northeasterly of the Northerly boundary line of the CENTRAL PACIFIC RAILWAY COMPANY as conveyed by THOMAS GRIFFIN, et ux, to THE PACIFIC FRUIT EXPRESS COMPANY recorded in Book 31 of Deads at page 615, Elko County Nevada, records.

Section 29: All

EXCEPTING therefrom a strip of land 400 feet in width as reserved in Deed executed by CENTRAL PACIFIC RAILWAY COMPANY to THOMAS GRIFFIN, recorded in Book 38 of Deeds at page 7. Elko County, Nevada, records.

FURTHER EXCEPTING therefrom that strip of land lying in the Nº, of Section 29 conveyed by CENTRAL PACIFIC RAILWAY COMPANY to WESTERN PACIFIC RAILWAY COMPANY recorded in Book 31 of Deeds at page 71, Elko County, Nevada, records.

Section 30: Lot 2 (SWANNES); Lot 3 (NWASWA); SELOWA, SWANES; NESSWA

Township 33 North, Range 52 East, MDBan

Section 27: That pert of the SWASEM lying southwasterly of Blocks "F" and "O" and southeasterly of the northerly line of Block "F" extended to the wast line of the SEM of said Section 27, excepting therefrom a parcel of land described as follows:

Beginning at the northwesterly corner of Block 'F' Corner #1, thence southwesterly along the northerly line of Block "F" extended a distance of 250 feet to Corner #2; thence at right angles and southeasterly a distance of 100 feet to Corner #3; thence at right angles and northeasterly on a line which is the southerly boundary line of the N5 of Block "F" extended, a distance of 250 feet to Corner #4; being the southwest corner of Lot 12, Block "F", thence northwesterly along the western boundary line of said Lot 12 a distance of 100 feet to Corner No. 1 the P.O.B.

All that part of the SSEM of Section 27, Township 33 North, Range 52 East, lying southerly of Block "O" and "G", westerly of Block "N" and northerly of the northerly boundary line of the Western Pacific Railway Company.

That portion of the NEWSWG of Section 26, Township 33 North, Range 52 East, lying northerly of the northerly boundary line of the Central Pacific Railway Company's right of way line.

WILSON and WILSON Affermays At Lan Ellie, Nevada

Real property situate in the Town of Carlin, County of Elko, State of Nevada, as follows:

Lots 20 thru 24, inclusive, Block A; Lots 13 thru 23, inclusive, Block F; Lots 13 thru 18, inclusive, Block G; S% of Lots 3 and 4, Block O; Lots 5 thru 24, inclusive, Block O;

TOGETHER WITH all improvements situate thereon.

TOGETHER WITH all water, water rights, rights to the use of water, dams, ditches, canals, pipe lines, reservoirs and all other means for the diversion or use of waters appurtenent to the said property or any part thereof, or used or enjoyed in connection therewith, and together with all stockwatering rights used or enjoyed to connection with the use of any of said lands, and connection with the use of any of said lands, and together with all range rights and grazing rights, and in particular, but without limitation thereto, all rights to graze livestock on the public domain under what is known as the Taylor Grazing Act, owned by Decedent, or used or enjoyed in connection with any of said property.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

PERSONAL PROPERTY OF GRIFFIN BROS.

Livestock:

103 Cows with big calves 106 Cows with little calves 73 Dry Cows

143 Yearling heifers and steers mixed

3 Bulls

All other livestock.

TOGETHER WITH all ranch equipment.

TOGETHER WITH Southern Pacific Lease No. M-2778.

TOGETHER WITH the brand TG, thus: TG

TOGETHER WITH the brand Quartercircle T, thus:

TOGETHER WITH any and all accounts receivable and all claims of every name or nature possessed by said Griffin Bros. partnership, and together with any and all partnership property not herein specifically described.

SUBJECT TO any variations in distribution imposed by the surviving partner's final accounting to be filed herein.

Attorneys At Law Elka, Nevede

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M. That any and all other real and personal property of any name or nature not hereinabove described and within the jurisdiction of the above-entitled Court, in which said Estate shall have an interest and whether now known or not, be and the same hereby is distributed, share and share alike, to ROWENNA WALKER, MARGUERITE MCBRIDE, and RUTH GRIFFIN, Administratrix of the Estate of DONALD GRIFFIN, Deceased.

N. That upon filing receipts showing distribution in accordance herewith, the Joint Administratrices C.T.A. be discharged from their trust and their bond exonerated.

DONE IN OPEN COURT on the 16th day of April, 1969, and this written Decree signed on this 2/11 day of April, 1969.

DISTRICT JUDGE.

CERTIFICATION OF COPY

STATE OF NEVADA)
COUNTY OF ELKO) SS
I, KAREM DREDGE, COUNTY CLERK AND EX-OFFICIO
CLERK OF THE DISTRICT COURT OF THE FOURTH
DISTRICT OF THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF ELKO, DO HEREBY CERTIFY THAT THE
ANNEXED IS A FULL, TRUE AND CORRECT COPY OF
THE INSTRUMENT AS THE SAME APPEARS ON FILE
OF RECORD IN MY OFFICE.

Witness my hand and the seal of said court affixed this

day of AUSUST AD., 1999

KAREN DREDGE County Clerk

By 2 15 drigue Deputy Clerk

BOOK 328 PAGE 421 OFFICIAL RECORDS RECORDED AT THE REQUEST OF Stewart Little 99 AUG 27 AM 11:28

EUREKA COUNTY HEVADA M.N. REBALEATI: RECORDER FILEND 2557 FEES /8/0

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Wilson and Wilson
Attenues At Law