

1 Case No. 1246

2 **173661**

3 NO. _____
4 FILED

5 DEC 17 1999

6 JOAN SHANGLE, CLERK
7 _____ DE'

8 IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
9 THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

10 In the Matter of the Estate of
11 DONALD JOHN EBY, also
12 known as DONALD J. EBY,

13 ORDER SETTING ASIDE ESTATE
14 WITHOUT ADMINISTRATION

15 Deceased.
16 _____ /

17 The above matter coming on regularly for hearing this 17th day of December,
18 1999, upon the verified Petition of SUSAN ANN EBY to Set Aside Estate Without
19 Administration; and no one appearing to contest or oppose the same, and it appearing to
20 the satisfaction of the Court that Notice was given as required by law; and

21 IT FURTHER APPEARING that the Estate consists of Decedent's interest in the
22 hereinafter described real and personal property situate in the County of Eureka, State of
23 Nevada, and the total value of Decedent's interest in said property does not exceed
24 \$50,000.00; that the total value of all of the Estate of the Deceased in this State does not
25 exceed \$50,000.00 in value.

26 That DONALD JOHN EBY died in Fort Harrison, Montana, on August 26, 1998,
27 and at the time of his death was over 18 years of age.

28 That the Decedent left the following heir at law and next of kin:

| 1 | NAME | RELATIONSHIP | AGE | ADDRESS |
|---|---------------|--------------|-------|---------------------------|
| 2 | SUSAN ANN EBY | Daughter | Adult | 1433 Wyoming Ave., Apt. F |
| 3 | | | | Billings, MT 59102 |

4 It Further Appearing that there are no unpaid funeral bills or expenses of the
5 last illness and that to the knowledge of the Petitioner, all of the debts of the Decedent
6 have been paid, except that Parcel 2 of the hereinafter described real property is subject
7 to a Contract of Sale wherein Cattlemen's Title Guarantee Company is the Seller and the
8 Decedent, Donald J. Eby, is the Buyer - Contract and Account No. 0100610455; and
9

10 It Further Appearing that Decedent did not leave a Will and left no surviving
11 spouse or minor children. That under the provisions of NRS, Section 146.070(2), the
12 person entitled to receive the estate would be the Decedent's daughter, SUSAN ANN
13 EBY; and good cause appearing therefor,

14 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the hereinafter
15 described real and personal property, including any interest of the Decedent in the above
16 mentioned Contract of Sale with Cattlemen's Title Guarantee Company, and any property
17 hereinafter discovered, but not to exceed the total value of \$50,000.00, be not adminis-
18 tered upon, but the whole thereof be, and the same hereby is, set aside to SUSAN ANN
19 EBY, the daughter of the Decedent and the person entitled to said property.
20

21 The property herein set aside to SUSAN ANN EBY as set forth above consists
22 of all of the Decedent's interest in that certain real and personal property situate in the
23 County of Eureka, State of Nevada, more particularly described as follows:

24 A. REAL PROPERTY:

25 PARCEL 1

26 Lot 19, Block 12, Crescent Valley Ranch and Farms Subdivision, Unit
27 No. 1, as shown on the official map or plat thereof now on file in the
28 Office of the Eureka County Recorder, Eureka, Nevada.
(APN 002-032-10)

1 PARCEL 2

2 Lot 20, Block 12, Crescent Valley Ranch and Farms Subdivision, Unit
3 No. 1, as shown on the official map or plat thereof now on file in the
4 Office of the Eureka County Recorder, Eureka, Nevada.
(APN 002-032-09)

5 Said Parcel 2 being subject to an unrecorded Contract of Sale wherein
6 Cattlemen's Title Guarantee Company is the Seller and the Decedent,
Donald J. Eby, is the Buyer. Contract and Account No. 0100610455.

7 TOGETHER with all of Decedent's interest in the above Cattlemen's
8 Title Guarantee Company - Contract and Account No. 0100610455.


9 TOGETHER with any and all improvements situate on either or both of
10 the above parcels.

11 SUBJECT to any and all reservations, restrictions, easements and
12 rights-of-way of record in connection with either or both of the above
parcels.

13 B. PERSONAL PROPERTY:

14 Any and all cars or other vehicles in the name of the Decedent, none
15 of which have any significant value.

16 SO ORDERED this 17 day of December, 1999.

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19
20 DISTRICT JUDGE
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22

23
24 BOOK 332 PAGE 51
25 OFFICIAL RECORDS
26 RECORDED AT THE REQUEST OF
27 Ross P. Eardley atty
28 99 DEC 22 PM 1:56

EUREKA COUNTY NEVADA
M.M. REBALEATI, RECORDER
FILE NO. 173661 FEES 9.00

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 17TH day of Dec. 19 99
Dax Thand
County Clerk and Ex-Officio Court Clerk
Deputy Clerk