

CASE NO. 3128

SEAL
Affixed

FILED

1982 JUL 16 PM 2:32

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

IN THE MATTER OF THE ESTATE OF
LAUREL ELLEN COOK,
DECEASED.

ORDER SETTLING FIRST AND
FINAL ACCOUNT, APPROVING
ATTORNEY FEES, AND DECREE
OF DISTRIBUTION

The Administrator with Will Annexed of the Estate of LAUREL ELLEN COOK, Deceased, having on the 18th day of June, 1982; rendered and filed herein a full account of the administration of said estate, which account was for final settlement, and having with said account made application for approval of attorney fees, and having further filed a Petition for Final Distribution in said estate; said account, application and petition having come on regularly to be heard on the 16th day of July, 1982, at 2:00 o'clock, p.m.; and proof having been made to the satisfaction of the court that notice of the settlement of said account, and of the hearing of the application and the petition have been given in the manner and for the time required by law, as more fully appears by the Affidavit of Mailing on file herein; and the court hereby finds:

1. That due and legal notice of hearing of said account, application and petition has been given to all persons interested in said estate.

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ATTORNEYS AND COUNSELORS
230 IDAHO STREET
ELKO, NEVADA 89801

1.

1 2. That the Administration had no receipts and
2 made no disbursements, during the course of administration.

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

7 4. That no creditors claims have been filed
8 against said estate.

9 5. That on the 1st day of July, 1969, said
10 LAUREL ELLEN COOK died in the City of San Diego, County of
11 San Diego, State of California; that at the time of her
12 death was a resident of the County of San Diego, State of
13 California; that she was over the age of twenty-one years;
14 that she left estate in the County of Elko, State of Nevada,
15 consisting of real property.

16 6. That the deceased died testate.

17 7. That after due and proper proceedings had in
18 this behalf, the above-entitled court, on the 2nd day of
19 January, 1979, by its order, duly made and entered,
20 appointed CHARLES FRANKLIN COOK, JR., the administrator with
21 Will Annexed of the estate of the deceased, and directed
22 that upon qualification that Letters of Administration with
23 Will Annexed be issued and thereupon became, and now is, and
24 ever since said date has been duly appointed, qualified and
25 acting Administrator with Will Annexed of said estate.

26 8. That the Administrator caused to be made and
27 returned to the court a true inventory and appraisement of
28 all of the assets of the estate of deceased; that the total
29 value of said estate was in the amount of \$30,862.00.

30 9. That the value of the estate of the deceased
31 is not of a sum as to require that a federal estate tax
32 return be filed.

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220 IDAHO STREET
ELKO, NEVADA 89601

2.

1 10. That a final tax return for the decedent was
2 prepared and timely filed and any tax due thereon paid.
3 That there has been no income received during the course of
4 administration of this tax and no fiduciary income tax
5 return is to be filed.

6 11. That the property of the estate consists of
7 the deceased's community interest in and to the community
8 property held by the deceased and CHARLES FRANKLIN COOK at
9 the time of her death.

10 12. That the property within the jurisdiction of
11 this court, now under the care, management and control of
12 the Administrator, subject to distribution is as follows:

13 REAL ESTATE:

14 An undivided one-half interest, being
15 the community interest of the deceased
16 in and to all those certain lots, pieces
17 or parcels of land situate, lying and
being in the County of Elko, State of
Nevada, and bounded and particularly
described as follows, to-wit:

18 TOWNSHIP 31 NORTH, RANGE 52 EAST, MDB&M

19 Section 14: SE4
20 Section 23: All
21 Section 24: All
22 Section 25: All
23 Section 33: All
24 Section 35: All

25 13. That the names, relationships, ages and resi-
26 dences of the heirs-at-law of the deceased are as follows,
27 to- wit:

28	29	30	31	32
NAME	AGE	RELATIONSHIP	ADDRESS	
CHARLES FRANKLIN COOK	Deceased	Husband		
FRANKLIN BARRY COOK	Adult	Son	277 Blanchard Rd. El Cajon CA 92020	
CHARLES FRANKLIN COOK, JR.	Adult	Son	4012 N. Stafford St. Arlington VA 22207	

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890 IDAHO STREET
ELKO, NEVADA 89801

3.

1	DANIEL WESLEY COOK	Adult	Son	c/o Franklin Barry Cook; 277 Blanchard Rd.; El Cajon CA 92020
2				
3	ROBERT BRUCE COOK	Adult	Son	400 E. Coronado South Pasadena, CA 91109
4				
5	RUBY CATHERINE O'HARA	Adult	Daughter	629 Fernwood Oxnard, CA 93030
6				

7 14. That under the terms of the Last Will and
 8 Testament of the deceased, the following named persons are
 9 the devisees and legatees, their names, relationships, ages
 10 and addresses being as follows:

11	<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
12	CHARLES FRANKLIN COOK	Deceased	Husband	
13				

14 15. That the Administrator with Will Annexed has
 15 performed services for the estate and waives any fee for the
 16 services rendered.

17 16. That CHARLES FRANKLIN COOK, the sole devisee,
 18 is deceased and that after due and proper proceedings had in
 19 that behalf, the above-entitled court, on the 2nd day of
 20 January, 1979, by its order, duly made and entered,
 21 appointed CHARLES FRANKLIN COOK, JR., the Administrator with
 22 Will Annexed of the estate of the deceased, and directed
 23 that upon qualification that Letters of Administration with
 24 Will Annexed be issued and thereupon became, and now is, and
 25 ever since said date has been duly appointed, qualified and
 26 acting Administrator with Will Annexed of said estate.

27 17. That VAUGHAN, HULL, COPENHAVER & HANSEN,
 28 LTD., Attorneys at Law, Elko, Nevada, have performed services
 29 for said estate by acting as attorneys for the Administrator
 30 with Will Annexed, for which said attorneys are entitled to
 31 a reasonable fee. That said attorneys have waived the right
 32 to a fee based upon the community interest of the surviving

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 800 IDAHO STREET
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1 husband and requests that the fee and the reasonableness
2 thereof be based only upon the interest of the deceased.
3 That the Administrator and said attorneys have agreed that a
4 reasonable fee for said services would be in the sum of
5 \$1,500.00 for which payment has been arranged, and the court
6 finds said sum to be reasonable.

7 18. That VAUGHAN, HULL, COPENHAVER & HANSEN,
8 LTD., Attorneys at Law, Elko, Nevada, in serving as
9 attorneys for the Administrator of this estate, during the
10 administration of said estate, have advanced certain costs
11 in the sum of \$281.40 and are entitled to reimbursement of
12 the same.

13 19. That the necessary costs of closing of said
14 estate are estimated to be less than \$50.00.

15 20. That all claims and debts against said
16 decedent and against the said estate have been paid in full;
17 that all expenses and charges of administration except as
18 hereinafter specifically set out have been paid in full;
19 that expenses of last illness and funeral expenses have been
20 paid in full; and that said estate is ready for distribution
21 and is now in a condition to be closed.

22 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
23 DECREED:

24 1. That due and legal notice of the hearing of
25 said First and Final Account, Application for Approval of
26 Attorney Fees and Petition for Distribution has been given
27 to or waived by all persons interested in said estate or
28 entitled to notice thereof.

29 2. That Notice to Creditors has been given for
30 the time and in the manner as provided by law, and the time
31 for the presentation of creditors claims has expired.

32 / / /

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520 IDAHO STREET
ELKO, NEVADA 89601

5.

1 3. That the First and Final Account of the
2 Administrator with Will Annexed as rendered is hereby
3 settled, allowed, approved, ratified and confirmed as
4 rendered.

5 4. That the Administrator with Will Annexed is
6 ordered to pay from the funds of the estate the following
7 amount for the purposes stated, which amounts are determined
8 to be reasonable:

9 A. To VAUGHAN, HULL, COPENHAVER & HANSEN,
10 LTD., the sum of \$281.40 to reimburse said
11 attorneys for costs advanced.

12 B. To VAUGHAN, HULL, COPENHAVER & HANSEN,
13 LTD., the sum of \$1,500.00 as attorney fees.

14 C. Necessary costs of closing.

15 5. That the property hereinbefore specifically
16 described was the deceased's one-half (1/2) community
17 interest in and to certain community property owned by the
18 deceased and CHARLES FRANKLIN COOK at the time of the death
19 of the deceased, and that the other one-half (1/2) community
20 interest therein vested in CHARLES FRANKLIN COOK, now
21 deceased, the surviving widower, absolutely, on the date of
22 the death of the deceased.

23 6. That any and all property of any name,
24 nature, kind, character or description, not hereinabove
25 described or inventoried and appraised, in this said estate,
26 or which may be incorrectly described herein, which is
27 within the jurisdiction of the court, and which was owned by
28 the deceased and CHARLES FRANKLIN COOK, as community
29 property, at the date of the death of the deceased, vested
30 one-half (1/2) in said CHARLES FRANKLIN COOK, the surviving
31 widower, absolutely, on the date of the death of the
32 deceased.

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230 IDAHO STREET
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6.

1 7. That subject to payment of the sums
2 hereinbefore set out all of the community interest of the
3 deceased, in and to all of the property hereinbefore
4 described as community property is hereby distributed to
5 CHARLES FRANKLIN COOK, JR., the Administrator with Will
6 Annexed of the Estate of CHARLES FRANKLIN COOK, Deceased.

7 8. That the interest of the deceased in and to
8 any and all other property of any name, nature, kind,
9 character or description not hereinabove described or
10 inventoried or appraised in this said estate, or which may
11 be incorrectly described herein, which is within the
12 jurisdiction of the court, and which was owned by the
13 deceased and CHARLES FRANKLIN COOK at the date of death of
14 the deceased, is hereby distributed to CHARLES FRANKLIN
15 COOK, JR., the Administrator with Will Annexed of the Estate
16 of CHARLES FRANKLIN COOK, Deceased.

17 9. That the said CHARLES FRANKLIN COOK, JR. be
18 dismissed and discharged as of the date that has been filed
19 herein, evidence or receipts showing:

- 20 A. Payments as herein ordered;
21 B. Distribution in accordance herewith; and
22 C. The recording of a certified copy of
23 this Decree of Distribution with the Elko County
24 Recorder.

25 DONE IN OPEN COURT THE 16th day of July,

26 1982.

27
28 1st Jos. D. McDaniel
29 DISTRICT JUDGE
30
31
32

VAUGHAN, HULL & COPENHAVER, LTD.
ATTORNEYS AND COUNSELORS
830 IDAHO STREET
ELKO, NEVADA 89801

7.

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CERTIFICATION OF COPY
STATE OF NEVADA)
COUNTY OF ELKO) SS.

I, JERRY D. REYNOLDS, the duly elected and qualified Recorder of Elko County, in the State of Nevada, do hereby certify that this is a true, full and correct copy of the instrument now on record in this office. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, in Elko, Nevada this

4th day of March, A.D. 2002
JERRY D. REYNOLDS, COUNTY RECORDER

By Becky Jensen Deputy
(SEAL)

STATE OF NEVADA,
COUNTY OF ELKO.

I, R. L. KANE, County Clerk and ex-officio Clerk of the District Court of the Fourth Judicial 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

ORDER SETTLING FIRST AND FINAL ACCOUNT, APPROVING ATTORNEY FEES, AND DECREE OF DISTRIBUTION

as the same appears on file and of record in my office.

WITNESS my hand and the seal of said court affixed the 16th day of July, A.D. 1982

R. L. Kane Clerk
Don Wagner Deputy Clerk



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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
V. J. Neuhaus Proprs.
02 MAR -6 PM 1:24
ELKO COUNTY NEVADA
M.H. REBALEATI, RECORDER
FILE NO. 177827
FEE \$ 2

FILE # 164744
FILED FOR RECORD
AT REQUEST OF
VAUGHAN, HULL
COPENHAVER & HANSEN, LTD.
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RECORDED BY 325 PG 143
JERRY D. REYNOLDS
ELKO CO. RECORDER

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ATTORNEYS AND COUNSELORS
820 IDAHO STREET
ELKO, NEVADA 89801

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