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1 CASE NO. 53 and 1254

NO. _____

FILED

FEB 19 2002

BY JOAN SHANGLE CLERK
DEPUTY

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6 IN THE SENETH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF EUREKA
8

9 IN THE MATR OF THE ESTATE OF
10 EDWARD P. KURTZ aka
11 EDWARD KURTZ,
12 _____/
13 CEASED.

14 IN THE MATR OF THE ESTATE OF
15 LILY M. KURTZ aka
16 LILY KURTZ aka LILY MOCK WONG,
17 _____/
18 CEASED.

**ORDER APPROVING JOINT
INVENTORY AND APPRAISEMENT AND
RECORD OF VALUE; COURT ORDER
TO DELIVER ADMINISTRATOR'S
GRANT DEED TO REAL PROPERTY
ASSET AND APPROVING PAYMENT OF
COSTS OF ATTORNEY AS ADVANCED
AND DIRECTING PARTIAL
DISTRIBUTION OF JOINT ESTATE
ASSETS, APPROVING PRELIMINARY
REQUEST FOR ATTORNEYS' FEES;
GRANTING AUTHORITY FOR
ADMINISTRATOR FILING OF TAX
RETURNS; FOR CONTINUATION OF
ESTATE PENDING CONCLUSION OF
LITIGATION AND APPROVING ESTATE
ADVANCES FOR COSTS OF SAME AND
GRANTING OTHER RELIEF
REQUESTED BY VERIFIED PETITION**

19 I, the Administratrix of the Estates of EDWARD P. KURTZ aka
20 EDWARD KURTZ and LILY M. KURTZ aka LILY KURTZ aka LILY MOCK WONG,
21 deceased having on the 25th day of January, 2002, rendered and
22 filed here a full account to date of the administration of said
23 estates, such account was for preliminary settlement, and having
24 further filed a Petition for Joint Approval for Joint
25 Administration for Inventory and Appraisalment; Joint First
26 Accounting for Court Order to Deliver Administrator's Grant Deed

1 to Real Prerty Assets; Payment of Costs of Attorney as Advanced;
2 Request for Partial Distribution of Joint Estate Assets; First
3 Request for Preliminary Attorneys' Fees; Authority for
4 Administrar Filing of Tax Return; for Continuation of Estate
5 Pending ofonclusion of Litigation; and other matters contained
6 therein whn was otherwise given under verified oath of both the
7 Administrar and the sole heir of the estate, Angela Wong Kurtz,
8 who survid an automobile accident August 18, 1999, which
9 otherwise killed her parents, both decedents; said account
10 applicatic and verified petition having been made to the
11 satisfacti of the court that notice of the preliminary settlement
12 of said acunt, and of the hearing of the application and petition
13 having beegiven in the matter and for the time required by law,
14 as more fuy appears by the affidavit of mailing filed herein and
15 supplement by the Certificate of Hand Delivery provided to the
16 sole heir of the estate, Angela Wong Kurtz, filed in the
17 proceeding and the Court hereby finds:

18 That due and legal notice of hearing of said
19 account, alication and petition has been given to all persons
20 interestea in said estate.

21 That said account is in all respects true and
22 correct; tt the receipts and disbursements are accurate; that the
23 remaining lance of money in the hands of the Administratrix at
24 the time of filing said account was in the sum of \$9,902.01.

25 That due and legal notice to creditors of said
26 estate has been given in the manner and for the time required by

1 law, and at the time for the filing of creditors claims has
2 expired.

3 That no creditors claims have been timely filed
4 against sa estate.

5 That on the 18th day of August, 1999, said decedents
6 EDWARD P. RTZ aka EDWARD KURTZ and LILY M. KURTZ aka LILY KURTZ
7 aka LILY MK WONG, died at Eureka, Nevada; that at the time of
8 their deat they were both residents of the County of Eureka,
9 State of Nada, that both were over the age of twenty-one years;
10 that they lt an estate in the County of Elko (checking account at
11 the Elko bnch of Bank of America) and real and personal property
12 in the Sta of Nevada, County of Eureka.

13 That the decedents died intestate.

14 That after due and proper proceedings had in the
15 joint estas of the decedents, this Court on October 3, 2001
16 appointed LA K. MENDEZ the successor Administratrix of the estate
17 of the decents and directed upon qualification that Letters of
18 Administraon be issued and thereupon she became and now is and
19 ever sinceaid date has been the duly appointed, qualified and
20 acting Admistratrix of said estate.

21 That the Administratrix caused to be made and
22 returned tthe Court a true inventory and appraisalment of all of
23 the assets of the estate of deceased; that the total value of said
24 estate was the amount of \$117,409.05 and in addition the estates
25 of the decents are involved in a civil litigation on file in the
26 Seventh Jucial Court of the State of Nevada in and for the County

1 of Eureka Civil Action No. 3542 with said estates being
2 represented by the law offices of JOHN C. HOPE, ESQ., 888 West 2nd
3 Street, Suite 300, Reno, Nevada 89509; that disbursements as more
4 specific outlined in the verified Petition for Joint Approval
5 for Joint Administration for Inventory and appraisement; Joint
6 First Accounting; for Court Order to Deliver Administrator's Grant
7 Deed to Real Property Asset; Payment of Costs of Attorney as
8 Advanced; Request for Partial Distribution of Joint Estate Assets;
9 First Request for Preliminary Attorneys Fees; Authority for
10 Administrator; Filing of Tax Returns; for Continuation of Estate
11 Pending Conclusion of Litigation; as all reviewed and approved
12 under verification by the Administratrix and further evidenced by
13 the verified acknowledgment and consent of the sole heir of the
14 estate, Anla Wong Kurtz, as to the correctness and propriety of
15 the period distributions made in preservation of the estate or
16 continuity of the existing civil litigation reported above and a
17 supplemental petition must be filed arising out of the final
18 disposition of the civil action filed in the above-entitled court
19 (Case No. 32) reporting also at said time expenditure of funds of
20 the decedent estates with respect to said lawsuit and/or
21 maintenance or preservation of other estate assets not yet
22 distributed by this Order.

23 The real property of the Estate was exclusively in the name
24 of the decedents who died on August 18, 1999 and is subject to
25 distribution as more fully described as follows, to-wit:

26 ///

1 Real Propety:

2 1 Grace, Crescent Valley, Eureka County, Nevada and being
3 known s Lot 6, Block 10, Crescent Valley Ranch & Farms,
Unit Eureka County, Nevada

4 Personal Pperty:

- 5 1. 55 Schult Manufactured Mobile Home, 60'x12', Serial
72487
- 6 2. 94 Homebuilt cargo trailer, VIN 94NV0208
- 7 3. 50 Homebuilt horse trailer, VIN TRL 33369
- 8 4. 97 Homebuilt flatbed trailer, VIN 97NV0206
- 9 5. 77 Dodge Pickup, Model W4CJ, VIN W41CJ7S053237

10 TOTALPPRAISED VALUE OF REAL PROPERTY
11 AND MUFACTURED HOME-----\$55,000.00

12 praised value of personal property above items 2
13 through 5 and still subject to execution of an oath of appraiser
14 and filingf appraisement with respect to such personal property
15 to be compted and filed with the court not later than the date
16 and time s on statutory compliant notice for future orders of
17 distributi arising out of settlement, verdict, and/or judgment
18 and/or fulsatisfaction execution thereupon with respect to the
19 within rerenced civil action being litigated in the above-
20 entitled jicial district, Case No. 3542 and

21 That the value of the estate of the decedents is of
22 a sum whicmay require the filing of a federal estate tax return.
23 That the Aministratrix will prepared and timely filed federal tax
24 returns fo the calendar years ending 1999 and 2000 with the need
25 for filingn estate tax return for the calendar year ending 2001
26 and possib subsequent return for future years according the final

1 disposition of the within referenced civil action of the decedents'
2 estates.

3 . That the whole of said property in the estate was
4 held by the decedents as community property. Waivers of any
5 interest in the estate by the only other heirs at law, RICHARD
6 KURTZ and BERT KURTZ, have been filed on May 5, 2000 in each
7 decedent estate proceeding deferring, waiving and otherwise
8 assigning all of the interests of the decedent estates to ANGELA
9 WONG KURTZ

10 . That there is no Last Will and Testament and the
11 decedent estates are being probated as intestate.

12 . That the names, relationship, ages and residences of
13 the heirs at law of the decedents are as follows, to-wit:

14	<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
15	Richard Kurtz	Adult	Son only of Edward P. Kurtz	535 Oak Ridge Dr. Redwood City, CA
16	Robert Kurtz	Adult	Son only of Edward P. Kurtz	142 Donohoe Street Menlo Park, CA
17	Angela Wong Kurtz	Adult	Daughter of both decedents Edward P. Kurtz and Lily M. Kurtz	609 Maple Street Elko, NV 89801

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21 . That the following named persons now are the
22 devisees and legatees, their names, relationships, ages and
23 addresses are as follows:

24	<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
25	ANGELA WONG KURTZ	Adult	Daughter of both decedents Edward P. Kurtz and Lily M. Kurtz	609 Maple Street Elko, NV 89801

1 On May, 2000, Richard Kurtz and Robert Kurtz caused to be
2 executed a ratified waiver and disclaimer of any interest in the
3 estates of the decedents and as such, the sole heir of the estates
4 is ANGELA WONG KURTZ, the adult daughter of the decedents.

5 That the Administratrix has entered into a written
6 agreement with the estate agreeing to act in such capacity for both
7 estates for flat fee for full administrator's duties as to both
8 estates not to exceed \$5,000.00 notwithstanding the current
9 appraised value of the estate nor its predictable increase arising
10 out of settlement, verdict, judgment or enforcement of the joint
11 estate's wrongful death civil actions (Seventh Judicial District
12 Court, Case No. 3542). The sole heir of the estate, Angela Wong
13 Kurtz, has given her consent to this arrangement.

14 That GREGORY D. CORN, ESQ., Attorney at Law, Elko,
15 Nevada, has performed services for said estate by acting as
16 attorney for the Administratrix, for which said attorney is
17 entitled to flat fee in the amount of \$1,500.00 per estate, but
18 not to include a separate and written agreement between each of the
19 joint decedent estates and the law firm of JOHN C. HOPE, ESQ. in
20 pursuit of civil action for wrongful death which must become a
21 part of a final order entered by this Court approving and
22 ratifying the same as with the agreement between the estate and the
23 Administratrix for the said fees as provided hereinabove for her
24 services.

25 That during the probate of the joint estates,
26 GREGORY D. CORN, CHARTERED advanced certain costs in probating of

1 the estate first for preservation of estate property and storage
2 thereof (the 1982 Chevy Citation in which decedents were killed to
3 save against "spoilation" during the course of the within
4 referenced civil action a) in the amount of \$3,024.00 as reported
5 in the verified petition and filed herein as approved by the sole
6 heir Angel Wong Kurtz and the Administratrix Lisa K. Mendez, and
7 for publication of the initial notices for appointment of the
8 original Administratrix and issuance of Letters of Administration,
9 including publication of the 90-day Notice to Creditors as required
10 by statute in the amount(s) of \$266.92 (Notice of Hearing;
11 Creditor's Claim Notices), \$395.00 (filing fees for each estate
12 proceeding before consolidation, certified copies), and estimated
13 mailing and travel costs of \$150.00 and long distance calls to the
14 Court, waiving heirs, heirs, which costs are confirmed and allowed
15 by this Court and accordingly approved.

16 . The Administratrix is permitted to retain in the
17 estate accounts liquid funds of \$500.00 for use as may be necessary
18 in funding continued costs in the existing decedent lawsuits
19 referenced above.

20 . It is further ordered that the estate retain \$250.00
21 as cost for preparation and filing of any final estate income tax
22 returns during administration.

23 . It is further ordered that the Administratrix is
24 authorized to make partial distribution to the sole heir of the
25 estate, ANELA WONG KURTZ, in the amount of \$7,500.00.

26 . It is further ordered that the Administratrix is

1 authorized to convey by Administratrix Deed the above-described
2 real property being Lot 6, Block 10, Crescent Valley Ranch & Farms,
3 Unit 4, Eska County Nevada with common address of 1 Granite,
4 Crescent Vley, Nevada to ANGELA WONG KURTZ, a single woman as her
5 sole and sarate property unless sold and approved by this Court
6 pursuant tChapter 148 of NRS (148.060, et. seq.).

7 . That all claims and debts against said decedent
8 estate havbeen paid in full and that all expenses and charges of
9 administraon as set out in the verified petition approved by the
10 sole heir, ANGELA WONG KURTZ, and the Administratrix, including
11 those reled to the funeral expenses of the decedents, the
12 approved hing been paid in full and reimbursed to the sum of
13 decedent, WARD KURTZ, RICHARD KURTZ and that this estate is ready
14 for the praminary orders of distributed herein provided, but the
15 estate is dered to be kept open pending final determination of
16 the estatlawsuits for wrongful death as filed in the Seventh
17 Judicial Dtrict Court of the State of Nevada, in and for the
18 County of reka, Case No. 3542.

19 . That the Court approves the payment of stipulated
20 fixed attoeys fees of \$1,500.00 per estate to the law offices of
21 GREGORY D.ORN, CHARTERED as otherwise approved by the sole heir
22 in the exution of the verified petition seeking the relief as
23 authorizedratified and approved by the Court herein.

24 W, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
25 DECREED:

26 That due and legal notice of the hearing of said

1 petition for joint approval for joint administration for inventory
2 and appraisal; joint first accounting; for Court Order to
3 deliver Administrator's Grant Deed to Real Property Asset; payment
4 of costs attorney as advanced; request for partial distribution
5 of joint estate assets; first request for preliminary attorneys
6 fees; authority for administrator filing of tax returns; for
7 continuance of estate pending conclusion of litigation; with sole
8 heir consent for all requested relief including approval of
9 inventory and appraisal and record of value has been given to or
10 waived by all persons interested in said estate or entitled to
11 notice thereof.

12 That Notice to Creditors has been given for the time
13 and in the manner as provided by law, and the time for the
14 presentation of creditors claims has expired, and that except for
15 reimbursement to RICHARD KURTZ, son of decedent, EDWARD P. KURTZ,
16 for funeral and related expenses of the decedents and the pay off
17 of vehicle expense as accomplished by the estate, no other
18 creditor's claims have been filed and/or allowed.

19 That the First Account of the Administratrix as
20 rendered hereby settled, allowed, approved, ratified and
21 confirmed rendered supplemented by nunc pro tunc as filed herein
22 signed by the Administratrix, the attorney for the estate, and the
23 sole heir.

24 At estate closing, the Administratrix is permitted
25 to receive maximum of \$2,500.00 per estate for services, acting
26 in such capacity notwithstanding the current value of the decedent

1 estates or e eventual settlement, verdict, judgment, or execution
2 to satisfacion of judgment of the wrongful death lawsuits being
3 prosecuted the estate through their attorney JOHN C. HOPE, ESQ.
4 whose feesust be approved by this Court before payment by the
5 Administraix thereof at a future noticed hearing and as otherwise
6 consented by the sole heir of the estate, ANGELA WONG KURTZ.

7 That attorneys fees in the fixed amount of \$1,500
8 per estate re authorized, ratified, and approved for the payment
9 to the attcey for the estate GREGORY D. CORN, ESQ. of GREGORY D.
10 CORN, CHARRD and as otherwise approved by the verified signing
11 of the pation for first and final account report of the
12 administraon and decree of partial distribution, ANGELA WONG
13 KURTZ, und verified oath.

14 Further, that GREGORY D. CORN, CHARTERED be
15 permitted the estate to be reimbursed costs advanced by him in
16 administraon of the estate or with respect to the estate
17 obligationto preserve evidence, namely storage of one 1982 Chevy
18 Citation wch cost to date and reimbursed by the Administratrix in
19 the sum o \$3,024.00 also as approved by the sole heir of the
20 estate, ANLA WONG KURTZ, together with filing fees, costs of
21 publicatic Notice to Creditors, and certified copies totaling
22 \$661.92.

23 That the estate make partial distribution to the
24 sole heir f the estate ANGELA WONG KURTZ in the amount of
25 \$7,500.00.

26 That the estate hold in the estate accounts the sum

1 of \$500.00 for federal income tax preparation for the calendar
2 years 2001 and thereafter as billed and to be billed by the estate
3 accountants KEAD AND POWELL, LLP, Certified Public Accountants.

4 That the Administratrix shall by bill of transfer
5 convey all interest to the sole heir of the estate, ANGELA WONG
6 KURTZ, as relates to the 1965 Schult manufactured mobile home,
7 60'x12', Sial #I72487 and the Administratrix Grant Deed to the
8 real propey being Lot 6, Block 10, Crescent Valley Ranch and
9 Farms, Unito. 4, Eureka County, Nevada with a common address of
10 1 Granite, escent Valley, Nevada to Angela Wong Kurtz, a single
11 woman as her sole and separate property unless sold and approved by
12 this Court before transfer and conveyance pursuant to Chapter 148
13 of NRS (14860, et seq.).

14 That pending filed oath of appraiser and
15 appraisement the Court will enter settlement orders with respect
16 to transfer to the sole heir of the estate, the 1994 Homebuilt
17 cargo train; 1960 Homebuilt horse trailer; the 1997 Homebuilt
18 flatbed trailer; and the 1997 Dodge Pickup as hereinabove
19 specifical described. That the Administratrix procure from the
20 sole heir the estate, ANGELA WONG KURTZ, a receipt evidencing
21 and acknowledging possession and receipt of all assets so ordered
22 to be conveyed and transferred to her by the Administratrix of the
23 estate with said receipts to be duly filed with the Clerk of the

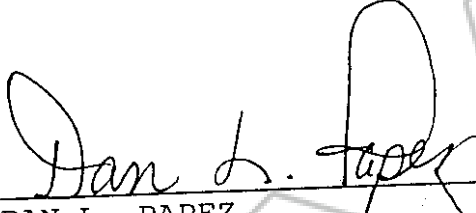
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1 Court in th jointly administrated estate proceeding.

2 I IS SO ORDERED THIS 15th day of February, 2002 at
3 10 a.m.

4 
5 DAN L. PAPEZ
6 DISTRICT JUDGE, DEPT. 2

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ORIGINAL

BOOK 358 PAGE 041
OFFICIAL RECORDS
FILED
Gregory Corn, Atty
13 JAN 30 P11 3:54

CLERK OF DISTRICT COURT, NEVADA
RECORDS & DEEDS
FILE NO. FEES 26.00

18911

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.
DISTRICT COURT, this 30th day of January 20 02
Frances [Signature]
County Clerk and Ex-Officio Court Clerk
[Signature] Deputy Clerk

BOOK 358 PAGE 053