

BOOK 404 PAGE 291-297
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
Gary Fairman
2005 JAN 24 PM 3:18

1 Case No. PR-0402032
NO.

2 Dept. No.

FILED

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 20.00

JAN 24 2005

195417

4 Eureka County Clerk
BY *[Signature]* Deputy

6 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF
7 NEVADA, IN AND FOR THE COUNTY OF EUREKA

8 * * * * *

9 IN THE MATTER OF THE ESTATE
10 OF
11 FREDERICK JAY TOMPKINS,
12 Deceased.

ORDER APPROVING
FIRST AND FINAL ACCOUNT,
PETITION FOR DISTRIBUTION,
TO FIX ATTORNEY'S FEES,
EXECUTOR'S FEE, AND
FOR DISCHARGE

14 The verified FIRST AND FINAL ACCOUNT, PETITION FOR
15 DISTRIBUTION, TO FIX ATTORNEY'S FEES, EXECUTOR'S FEE, AND FOR
16 DISCHARGE of PERCY F. TOMPKINS of Oneonta, State of New York,
17 Executor, coming on regularly for hearing this _____ day of
18 _____, 2005, and due proof having been made to the
19 satisfaction of this Court, and the Court so finding that the
20 Clerk has given notice in all respects according to law, and GARY
21 D. FAIRMAN, ESQ., a Professional Corporation, counsel for said
22 Executor of said Estate, being personally present in Court, and
23 no objections having been filed to said FIRST AND FINAL ACCOUNT,
24 PETITION FOR DISTRIBUTION, TO FIX ATTORNEY'S FEES, EXECUTOR'S FEE
25 AND FOR DISCHARGE.

26

1 THE COURT NOW FINDS that above-named decedent,
2 FREDERICK JAY TOMPKINS, died testate on the 13th day of February,
3 2003, in the County of Otsego, State of New York, and left an
4 interest in real property located in Eureka County, State of
5 Nevada, which the fair market value of the real property is THREE
6 THOUSAND TWO HUNDRED EIGHTY DOLLARS (\$3,280.00) based upon the
7 assessed value of the real property for tax purposes in Eureka
8 County, to-wit:

9 APN 005-040-07

10 Township 31 North, Range 48 East, Section 21,
11 SE1/4, NE1/4, of the SE1/4, in the County of
12 Eureka, State of Nevada.

13 That PERCY F. TOMPKINS was appointed the Executor
14 herein on the 7th day of May, 2004, by this Court pursuant to a
15 PETITION TO PROBATE A FOREIGN WILL AND TO APPOINT ADMINISTRATOR
16 WITH WILL ANNEXED, which was duly filed and lawfully noticed.
17 The Court thereafter entered an Order appointing Petitioner as
18 Executor upon Petitioner qualifying as such and Letters of
19 Administration With Will Annexed were issued to Petitioner on the
20 22nd day of June, 2004. Petitioner, since the date of his
21 qualification, has been and now is, the duly and qualified and
22 acting Executor of the Estate of the decedent.

23 That on the 8th day of July, 2004, the Petitioner
24 caused the first publication of the Notice to Creditors of
25 Decedent to be made, requiring creditors to present their
26 respective claims within sixty (60) days from the date of first
publication of Notice to Creditors; that publication was made in

1 the Eureka Sentinel, a newspaper of general circulation,
2 distributed in the Town of Eureka, County of Eureka, State of
3 Nevada, and was made in the time and manner required by law; that
4 the time for presenting claims against said estate, as fixed by
5 said Notice to Creditors, has since expired, and no claims were
6 filed against the Estate.

7 That due to the value of the estate in Nevada, it is
8 not necessary for your Petitioner to file Federal estate or
9 fiduciary tax returns for the year 2003.

10 That GARY D. FAIRMAN, as Attorney, has prepaid certain
11 costs of estate administration, which are as follows, and which
12 he has been compensated:

Filing Fee	\$130.50
Publication Costs - Notice to Creditors	\$ 69.30
Certified Mail Costs	\$ 61.32
Certified Copy - Court Order	\$ 5.00
Recording Fee - Court Order	\$ 25.00
Recording Fee - Executor's Deed	\$ 16.00
TOTAL	\$307.12

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17 That the names, ages, relationships and residences of
18 the heirs and devisees and legatees of said Decedent are:

<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
DAVID GALIPAULT C/o Meg Galipault P. O. Box 52 Gambier, Ohio 43022	Over 21 Over 21	Nephew Nephew
PETER GALIPAULT 376 Commercial St., 4C Boston, MA 02109	Over 21 Over 21	Nephew Nephew
GERARD GALIPAULT (GERALD) 4037 Banbury Circle Parrish, Florida 43219	Over 21 Over 21	Nephew Nephew

	<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
1			
2	ANN GALIPAULT	Over 21	Niece
3	1098 Highland St.		
3	Columbus, Ohio 43201		
4	MARGARET GALIPAULT	Over 21	Niece
5	(MEG)		
5	12 East Gate Drive		
6	Mt. Vernon, Ohio 43050		
6	JAMES TOMPKINS	Over 21	Residuary Legatee
7	105 Elm Street		
7	Oneonta, NY 13820		
8	KENNETH TOMPKINS	Over 21	Residuary Legatee
9	10063 Wolff Street		
9	Westminister, CO. 80031		
10	KEVIN TOMPKINS	Over 21	Residuary Legatee
11	P. O. Box 316		
11	Montrose, PA 18801		
12	R. BRUCE TOMPKINS	Over 21	Residuary Legatee
13	(BRUCE)		
13	4854 Hyde Rd.		
14	Manlius, NY 13104	Over 21	Residuary Legatee
15	BRIAN TOMPKINS	Over 21	Residuary Legatee
15	4850 Kylemore Ct.		
16	Palm Harbor, FL 34685	Over 21	Residuary Legatee

17 That during the course of the Administration, GARY D.
18 FAIRMAN, a Professional Corporation, has represented said
19 Executor of said estate and has done and performed all things for
20 the proper execution of the estate and has further represented
21 such interest from the date of the commencement of said estate to
22 the date hereof; that the amount of attorney's fees herein has
23 been fixed by the Executor, PERCY F. TOMPKINS, and GARY D.
24 FAIRMAN, ESQ., at the sum of ONE THOUSAND FIVE HUNDRED DOLLARS
25 (\$1,500.00), subject to the approval by the Court.
26

1 That PERCY F. TOMPKINS, Executor of the Estate of
2 FREDERICK JAY TOMPKINS, is entitled to a fee for his
3 administration services as follows:

4 6% of first \$3,200.00 \$195.00

5 That after allowances and payment of unpaid fees and
6 expenses, this Estate is in a condition to be finally settled and
7 distributed by transferring the residue thereof pursuant to the
8 Last Will and Testament of FREDERICK JAY TOMPKINS to JAMES
9 TOMPKINS, KENNETH TOMPKINS, KEVIN TOMPKINS, BRUCE TOMPKINS, BRIAN
10 TOMPKINS, DAVID GALIPAULT, PETER GALIPAULT, ANN GALIPAULT, GERALD
11 GALIPAULT, also known as GERARD GALIPAULT, and MEG GALIPAULT,
12 also known as MARGARET GALIPAULT, in equal shares.

13 THE COURT FURTHER FINDS:

14 That the Estate is now in a condition to be settled and
15 distributed pursuant to said FIRST AND FINAL ACCOUNT, PETITION
16 FOR DISTRIBUTION, TO FIX ATTORNEY'S FEES, EXECUTOR'S FEE, AND FOR
17 DISCHARGE, as filed by the Executor.

18 From the foregoing, the Court makes its Order as
19 follows:

20 ORDER

21 IT IS HEREBY ORDERED that said FIRST AND FINAL ACCOUNT
22 be, and the same is hereby, allowed, approved and settled, and
23 found correct in all respects.

24 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that
25 PERCY F. TOMPKINS pay the following expenses:

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Cost reimbursement to GARY D. FAIRMAN, A Professional Corporation	\$ 307.12
GARY D. FAIRMAN, Attorney Fees	<u>\$1,500.00</u>
TOTAL	\$1,807.12

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that Executor, PERCY F. TOMPKINS, shall be paid the sum of ONE HUNDRED NINETY-FIVE DOLLARS (\$195.00) for services rendered herein.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that after the payment of the fees herein, that the residue of the Estate is distributed pursuant to the Last Will and Testament of FREDERICK JAY TOMPKINS, to JAMES TOMPKINS, KENNETH TOMPKINS, KEVIN TOMPKINS, BRUCE TOMPKINS, BRIAN TOMPKINS, DAVID GALIPAULT, PETER GALIPAULT, ANN GALIPAULT, GERALD GALIPAULT, also known as GERARD GALIPAULT, and MEG GALIPAULT, also known as MARGARET GALIPAULT, in equal shares, to-wit:

APN 005-040-07

Township 31 North, Range 48 East, Section 21, SE1/4, NE1/4, of the SE1/4, in the County of Eureka, State of Nevada.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that at such time as said Executor has made all proper transactions in accordance with this Order, and has paid all expenses pursuant to this Order, that Petitioner is discharged from his trust.

DATED this 21 day of JANUARY, 2005.




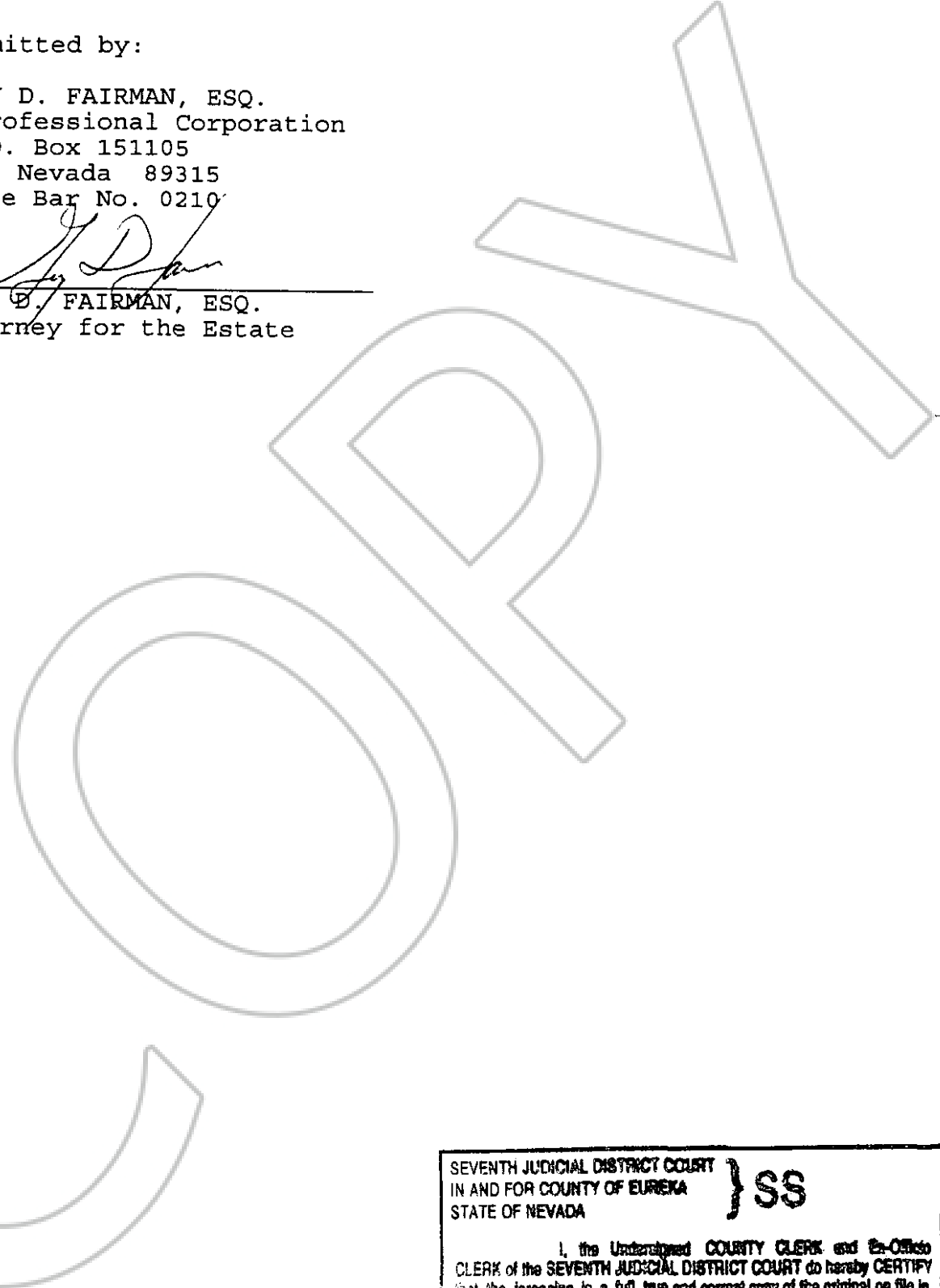
DISTRICT COURT JUDGE

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Submitted by:

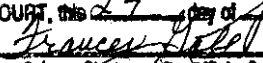

GARY D. FAIRMAN, ESQ.
A Professional Corporation
P. O. Box 151105
Ely, Nevada 89315
State Bar No. 0210


GARY D. FAIRMAN, ESQ.
Attorney for the Estate



195417

BOOK 404 PAGE 297

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 24 th day of January, 2025	
	Deputy Clerk
	County Clerk and Ex-Officio Court Clerk