

BOOK 438 PAGE 001-005  
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*Bowler Holt & Smith LLP*  
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EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES 18<sup>00</sup>

**APN: Book 78, Page 467, File No. 72389**

**Type of Document:**

Court Order

**205262**

**Recording Requested By:**

R. Jared Holt, Esq.  
BOWLER HOLT & SMITH LLP

**Return to:**

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1 **ORDR**  
2 **R. JARED HOLT, ESQ.**  
3 Nevada Bar No. 6686  
4 **BOWLER HOLT & SMITH LLP**  
5 **400 N. STEPHANIE ST., SUITE 235**  
6 **HENDERSON, NV 89014**  
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8 **ATTORNEYS FOR PETITIONER**

FILED

APR 21 11 03 AM '06

*Shirley S. Langston*  
CLERK

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of

DELOISE E. TYLER,

Deceased.

CASE NO. P54182

DEPT NO.

**ORDER FOR WAIVER OF ACCOUNTING, FOR APPROVAL OF**  
**ATTORNEY'S FEES AND PERSONAL REPRESENTATIVE'S FEE, AND**  
**FOR FINAL DISTRIBUTION OF ESTATE**

Hearing Date: April 21, 2006

Hearing Time: 9:30 a.m.

The verified Petition for Waiver of Accounting, for Approval of Attorneys' Fees and Personal Representative's Fee, and for Final Distribution of Estate, came on regularly for hearing on April 21, 2006. In attendance was R. Jared Holt, Esq., counsel for the Executor of the estate, Janice Tyler. Notice of hearing has been duly given as required by law, and the Court having heard the evidence finds that the facts alleged in the petition are true and correct and that the petition ought to be granted.

IT IS THEREFORE ORDERED AND DETERMINED BY THE COURT as follows:

A. That the waiver of accounting is approved, confirmed, allowed, and settled;

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COUNTY CLERK

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1 B. Notice to creditors has been given as required by law and the time for filing or  
2 presenting claims has expired. All claims that have been filed against the estate have been settled  
3 or satisfied. A final claim with Citibank (SD) NA/Texaco was settled for \$300.00, which is  
4 approved and Petitioner is authorized to pay this settlement;

5 C. That the transfer of the time share interest to the beneficiaries of the estate by  
6 Vacation Internationale, Inc. upon payment of the outstanding fees owed is approved;

7 D. That the Petitioner is authorized to pay the sum of \$15,176.00 to the law firm of  
8 Bowler Holt & Smith LLP, as and for attorney's fees, together with the further sum of \$291.88  
9 for reimbursement of costs advanced on behalf of the estate, together with further fees and costs  
10 that may accrue;

11 E. That the remaining personal representative fee of \$4,292.94 be approved, of which  
12 20% (\$858.58) is to be paid to Gerald Pentsil, and 80% (\$3,434.35) is to be paid to Petitioner;

13 F. That the Petitioner be authorized to distribute the remaining assets of the estate, by  
14 agreement among the beneficiaries of the estate, which agreement is approved, as follows:

15 1. The property in Sanpete County, Utah, which has been valued at \$3,500.00  
16 by the three beneficiaries, and which is more particularly described as follows:

17 Lot Number 29, In Unit Number Two of Mount Baldy Estates,  
18 according to the official amended plat thereof recorded in the office  
19 of the Sanpete County Utah Recorder on September 3, 1968 a 5:00  
P.M., as Entry No. 210470 in Book Number 139 at Pages 228 thru  
231 inclusive.

20 Subject to: Restrictions, reservations, rights of way and easements  
21 now of record, covenants, conditions, reservations in Patents,  
22 encumbrances and rights enforceable in law and equity and taxes  
for the year 1969 and thereafter.

23 EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY:  
24 All water and water rights appurtenant to the originating in and/or  
25

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1 from said land, excepting only underground water reached by  
2 drilling, is hereby reserved by Mt. Baldy Properties, Inc.  
3 be transferred to Vicki Tyler.

4 2. The property in Eureka County, Nevada, which has been valued at  
5 \$3,500.00, and which is more particularly described as:

6 Township 30 North, Range 48 East, M.D.B & M. Section 11:  
7 N ½ SE ¼ NW ¼

8 Reserving unto Grantor, its successors and assigns, for roadway,  
9 transmission and utility purposes, a perimeter easement 30 feet in  
10 width measured inward from, and the interior boundary of said  
11 easement running parallel to, each of the exterior boundaries of the  
12 property herein described.

13 Subject to taxes for the present fiscal year, and subsequently:  
14 covenants, conditions, restrictions, exceptions and reservations,  
15 easements, encumbrances, leases or licenses, right and rights of  
16 way of record, if any.

17 Together with the tenements, hereditaments and appurtenances  
18 thereunto belonging or appertaining, and the revision and revisions,  
19 remainder or remainders, rents, issues and profits thereof.

20 Parcel No. 005-190-23, 20 acres.

21 be transferred to Janice Tyler and William Tyler as tenants in common, each receiving an  
22 undivided ½ interest in the property.

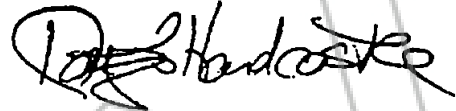
23 3. An equalizing distribution of \$3,500.00 be made to Janice Tyler  
24 (\$1,750.00) and William Tyler (\$1,750.00).

25 4. After payment of the foregoing expenses, the remaining assets be  
distributed in equal shares to the Vicki Tyler, Janice Tyler, and William Tyler.

G. That upon the filing of appropriate receipts, Petitioner be discharged from further  
responsibilities as such executor, and that the estate be then closed; and

1 H. For such other and further relief as to the Court may deem proper and reasonable  
2 in the premises.

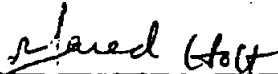
3 DATED this 21<sup>st</sup> day of April, 2006.

4 

5 DISTRICT COURT JUDGE

6  
7 Prepared and submitted by:

8 BOWLER HOLT & SMITH LLP

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