

Recording Requested By:

Attorney

When Recorded Mail To:

Anthony J. Montisano, Jr.
Attorney at Law
330 South Third St.
Suite 860
Las Vegas, NV 89101

Mail Tax Statements To:
Mr. John Robert Kenneson
9773 Thistle Dew
Las Vegas, NV 89148

DOC # 0207321

12/18/2006

03:10 PM

Official Record

Recording requested By
ANTHONY J MONTISANO JR

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$19.00

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RPTT:

Recorded By: FES

Book- 0449 Page- 0071



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For Recorder's Use Only

ORDER APPROVING REPORT OF ADMINISTRATION,
WAIVER OF ACCOUNTING, PETITION FOR FINAL DISTRIBUTION
OF ASSETS AND FOR PAYMENT OF ATTORNEY'S FEES AND COSTS

0280
Anthony J. Montisano, Jr., Esq.
Bar #4339
330 South Third Street
Suite 860
Las Vegas, NV 89101
(702) 598-4400

Attorney for Petitioner

NO.

FILED

DEC 01 2006

Eureka County Clerk
BY C. WRIGHT Deputy

DISTRICT COURT
EUREKA COUNTY, NEVADA

In the Matter of the Estate of) CASE NO. : PR0606-110
AUGUST PIERRESTEGUY, aka) DEPT NO. : Probate
AUGUSTE PIERRESTEGUY,) DOCKET NO.:
Deceased.)
Time: 10:00 a.m.
Date: December 1, 2006

ORDER APPROVING REPORT OF ADMINISTRATION, WAIVER OF
ACCOUNTING, PETITION FOR FINAL DISTRIBUTION, AND
FOR PAYMENT OF ATTORNEY'S FEES AND COSTS

Petitioner, John Robert Kenneson, Executor of the Estate of August Pierresteguy, also known as Auguste Pierresteguy, having rendered and filed his Report of Administration, Waiver of Accounting, Petition for Final Distribution, and Application for Order Authorizing Payment of Attorney's Fees and Costs, and that said petition having come on regularly for hearing, this 1st day of December, 2006, and proof having been made to the satisfaction of the Court that Notice of said hearing on the Report of Administration, Waiver of Accounting Petition for Final Distribution, and Application for Order Authorizing Payment of Attorney's Fees Costs, and was given in the manner and for the time required by law, the Court finds:



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1 1. That due and legal notice to the creditors of said Estate
2 has been given in the manner and for the time required by law.

3 2. That all of the known debts of the Estate have been paid.

4 3. That the whole of said Estate was the separate property
5 of the Decedent.

6 4. That the Petitioner is entitled to a fee for services
7 rendered on behalf of said Estate, however, he has agreed to waive
8 said fees.

9 5. That Anthony J. Montisano, Jr., Esq., attorney for the
10 Estate, is entitled to receive the sum of \$9,750.84, for ordinary
11 services performed in connection with said Estate. Said attorney
12 is also entitled to a fee for extraordinary services rendered on
13 behalf of the Estate in the amount of \$1,327.50, for obtaining an
14 ex parte order to open the safe deposit box at Bank of America, in
15 order to retrieve the original will. Further, Anthony J.
16 Montisano, Jr., has advanced the sum of \$403.50 for costs expended
17 during the course of the administration of the Estate. Said
18 attorney, however, has already received a retainer from Petitioner
19 in the amount of \$750.00.

20 6. That the Decedent executed his Last Will and Testament on
21 June 8, 1998, and the same has been lodged with the Court.

22 7. That under the provisions of the Decedent's Last Will and
23 Testament, he devised and bequeathed his property as follows:

24 "FOURTH: I give and bequeath all of my
25 property, both real and personal, of whatever
26 kind or description and wherever located to
 JOHN ROBERT KENNESON, with my love and deepest
 affection."

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1 8. That the only beneficiary of the Estate, John Robert
2 Kenneson, has waived an accounting of the assets and liabilities of
3 said Estate, as well as notice of these proceedings.

4 9. That after payment of the sums for attorney's fees and
5 costs, and any other costs incurred in the administration of the
6 Estate, that the Petitioner is to distribute all of the rest,
7 residue and remainder of said Estate to John Robert Kenneson, which
8 includes the following assets:

9 (a) Property located at 401 Spring Street, Eureka, Nevada,
10 APN: 1-136-12, which legal description is as follows:
11 The South 22.39 feet of Lot 27 and all of Lots 28, 29, 30
12 and 31 of Block 7, according to the official plat of
Eureka Townsite, County of Eureka, State of Nevada as
approved by the General Land Office on November 19, 1937.

13 (b) Property located at 360 Spring Street, Eureka, Nevada,
14 APN: 1-135-03, which legal description is as follows:

15 Lots 6 and 7; Block 11 of the Town of Eureka, County of
16 Eureka, County of Eureka, State of Nevada, as the same
more fully appears on the official Map now on file in the
Office of the County Recorder, Eureka County, Nevada.

17 TOGETHER WITH all and singular the tenements,
18 hereditaments, and appurtenances thereunto belonging or
19 in anywise appertaining, the reversion and reversions,
remainder and remainders, rents, issues and profits
thereof.

20 (c) Bank of America, Account Numbers: 004968421659,
21 004967282161 and 91000055072717

22 (d) 1991 GMC Sierra, VIN: 1GTDK14K2MZ507772

23 (e) 1979 Pontiac, VIN: 2L69X9X103797

24 (f) 1950 Trailer, VIN: 73NV2516

25 (g) Personal Property

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1 GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED, ADJUDGED
2 AND DECREED:

3 1. That the Report of Administration, Waiver of Accounting,
4 Petition for Distribution, and Application for Order Authorizing
5 Payment of Attorney's Fees and Costs, be, and the same is hereby
6 approved, allowed and settled, and that the facts, accounts and
7 matters alleged and reported therein are a true, complete and
8 correct record of the administration of said Estate.

9 2. That the Court hereby waives an accounting of the assets
10 and liabilities of this Estate.

11 3. That the Petitioner has waived his right to receive a fee
12 for services rendered on behalf of said Estate.

13 4. That the Petitioner is hereby authorized and directed to
14 pay to Anthony J. Montisano, Jr., as attorney for the Estate, the
15 remaining sum of \$10,731.84, for attorney's fees and costs.

16 5. That after the payment of Attorney's fees and costs, and
17 any further closing costs, that your Petitioner distribute all of
18 the rest, residue and remainder of said Estate to John Robert
19 Kenneson, which includes the following assets:

20 (a) Property located at 401 Spring Street, Eureka, Nevada,
21 APN: 1-136-12, which legal description is as follows:
22 The South 22.39 feet of Lot 27 and all of Lots 28, 29, 30
23 and 31 of Block 7, according to the official plat of
24 Eureka Townsite, County of Eureka, State of Nevada as
25 approved by the General Land Office on November 19, 1937.

26 (b) Property located at 360 Spring Street, Eureka, Nevada,
27 APN: 1-135-03, which legal description is as follows:
28 Lots 6 and 7; Block 11 of the Town of Eureka, County of
 Eureka, County of Eureka, State of Nevada, as the same
 more fully appears on the official Map now on file in the
 Office of the County Recorder, Eureka County, Nevada.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

(c) Bank of America, Account Numbers: 004968421659, 004967282161 and 91000055072717

(d) 1991 GMC Sierra, VIN: 1GTDK14K2MZ507772

(e) 1979 Pontiac, VIN: 2L69X9X103797


(f) 1950 Trailer, VIN: 73NV2516

(g) Personal Property


6. That any other assets belonging to the Decedent or the Estate not now known, but hereafter discovered, shall be distributed in accordance with the terms of the Decedent's Last Will and Testament; to wit to John Robert Kenneson.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that upon filing of appropriate receipts, that said Executor shall be discharged of her duties, that said Estate shall be closed, and that any bond on file in this matter shall be exonerated.

DATED: December 1, 2006


DISTRICT COURT JUDGE

Submitted By:


Anthony J. Montisano, Jr., Esq.
Bar Number 4339
Attorney for Petitioner

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 1TH day of December 20 06

County Clerk and Ex-Officio Court Clerk


Deputy Clerk



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