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07/23/2010

01:09 PM

Official Record

Recording requested By
DAN A ERWIN, ATTY AT LAW

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$45.00

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RPTT.

Recorded By FES

Book- 501 Page- 0124

Recording requested by:

Dan A. Erwin
Attorney at Law
118 W. 8th Street
Chandler, OK 74834



0215250

Cover Page on
Order Allowing Final Account

COPY

AFFIDAVIT

STATE OF OKLAHOMA)
COUNTY OF LINCOLN) SS:

Dan A. Erwin, of lawful age, and being first duly sworn, deposes and states:

That I am a duly licensed and practicing attorney in the State of Oklahoma; that I represented the personal representative in the estate of Neva Sue McWhorter; and that a final decree was entered in such estate, in Cause No. PB-2008-35, District Court of Lincoln County, Oklahoma on December 16, 2009.

The decedent was the owner of the following described property located in the County of Eureka, State of Nevada, to-wit:

Lot 4 of Block 16 of CRESCENT VALLEY RANCH & FARMS, UNIT NO. 4, as per map recorded in said County as File No. 34552, AND

Lots 1, 2 and 3 in Block 16 all as shown on the map of CRESCENT VALLEY RANCH & FARMS, UNIT NO. 4, filed in the Office of the County Recorder of Eureka County, Nevada, on November 5, 1959.

A certified copy of the final order in the estate of Neva Sue McWhorter, above recited, is attached hereto as Exhibit "A" and incorporated as a part of this affidavit.

This affidavit is made for the purpose of clarification of title to the property owned by Neva Sue McWhorter, who was one and the same person as Suzie McWhorter, at the time of her death.

Dated this 16th day of July, 2010.

Dan A. Erwin

Dan A. Erwin

Subscribed and sworn to before me this 16th day of July, 2010.

Carol K. [Signature]

Notary Public

My Commission Expires: 11-27-2010
Commission No.: 01018053
SEAL


ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF LINCOLN) SS:

Before me, the undersigned, a Notary Public in and for said County and State on this 16th day of July, 2010, personally appeared Dan A. Erwin, to me known to be the identical person who executed the within and foregoing instrument and

acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.



Notary Public

My Commission Expires: 11-27-2013
Commission No.: 01018053
SEAL

COPY

FILED

STATE OF OKLAHOMA

2010 JUN -8 PM 1:44

IN THE MATTER OF THE ESTATE OF)
NEVA SUE McWHORTER, ONE AND THE)
SAME PERSON AS SUSIE McWHORTER,)
Deceased.)

No. PB-2008-35
CINDY HIRBY CT. CLK.
LINCOLN CO., OKLA.

ORDER ALLOWING FINAL ACCOUNT, DETERMINING HEIRS, LEGATEES, AND DEVISEES, FINAL DECREE OF DISTRIBUTION AND DISCHARGE

This matter coming on for hearing this 16th day of December, 2009, pursuant to an order of this court, issued on the 23rd day of July, 2009 and continued to this date, and it appearing to the court that due notice of the settlement of the final account of Judith Ann Cole, executrix of the estate of Neva Sue McWhorter, deceased, has been given as required in said order and according to law, the court proceeded to examine the final account of the said personal representative and the vouchers produced by her, and, further examined the said personal representative under oath, and it appearing to the court that the said personal representative has well and truly accounted for every part of said estate, and that no profit has been made by said personal representative through any increase in said estate, and there being no objections, and the court being fully advised:

IT IS ORDERED, ADJUDGED, AND DECREED BY THE COURT that the accounts of the said personal representative be, and the same are hereby, finally settled, allowed, and adjusted by the court, according to the terms and tenor of the final account of the said personal representative filed herein, and distribution of said estate, according to the petition and in accordance with the will of decedent is hereby ordered.

It appearing to the court on satisfactory proof and the evidence that the necessary expenses of funeral, of last illness of said deceased, and of the probate of said estate, have been fully paid, or satisfactory arrangements made therefor, and that notice to creditors as required by Oklahoma Statutes was given by the personal representative, including notice by mail to all creditors, if any, known to the personal representative as of the date said notice was filed with the District Court Clerk for Lincoln County, Oklahoma, at the respective last known addresses of such creditors; and that all claims not filed within the time permitted for the presentation of claims are nonsuited, void and forever barred, except as otherwise provided by Oklahoma law for

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any claim for which payment is approved in this decree pursuant to §335 of Title 58, Oklahoma Statutes; and it further appearing from the verified account of said personal representative that all state, county, school, municipal, and income taxes, legally levied upon the personal property of said estate, have been fully paid, and it further appearing that all inheritance and transfer taxes due the State of Oklahoma have been paid as appears from the file herein, and that said estate has been fully probated as shown by the final account of said personal representative of said estate, duly audited and allowed by this court, pursuant to due notice given and served, reference being had thereto, and that said estate is ready for distribution.

It further appearing to the court that due notice of the application for final decree herein determining the heirs, legatees and devisees of said Neva Sue McWhorter, deceased, and assigning the residue of the estate to the persons entitled thereto by law, in accordance with the will of decedent, has likewise been duly given and served pursuant to law, in such case made and now provided, and it further appearing to the court, that said deceased died testate, and that the residue of the estate consists of the following described real and personal estate, to-wit:

Real property - West 65 feet of Lots 10, 11, and 12, Block 41 in the Town of Wellston, Oklahoma;

Personal property as shown on attached Exhibit "A".

And it further appearing to the court that the sole and only heirs at law of the said Neva Sue McWhorter, deceased, are as follows:

Judith Ann Cole,
Vicki Lynn Sires,
Jeffery Alan McWhorter, and
Mara Beth Harris.

And it further appearing to the court that under and by virtue of the terms of the last will and testament of the said Neva Sue McWhorter, deceased, the following persons are the only persons entitled to distributive shares in said estate, in the following proportions, to-wit:

Judith Ann Cole, one-fourth of residue,
Vicki Lynn Sires, one-fourth of residue,
Jeffery Alan McWhorter, one-fourth of residue,
Mara Beth Harris, one-fourth of residue,

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Christie Yong Wilson, \$2,000.00,
Shadrach Inan Rackley, \$2,000.00,
Jason Allen Cole, \$2,000.00,
Candice Renee Rozzell, \$2,000.00,
Kerry Lynn Griffith, \$2,000.00,
Shannon Paige Thompson, \$2,000.00,
Delaney Lynn McWhorter, \$2,000.00,
Jayden Christine Wilson, \$333.33,
Kenzie Nicole Wilson, \$333.33, and
Railen Blaize Rozzell, \$333.34.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED BY THE COURT, that the said Judith Ann Cole, Vicki Lynn Sires, Jeffery Alan McWhorter, Mara Beth Harris, Christie Yong Wilson, Shadrach Inan Rackley, Jason Allen Cole, Candice Renee Rozzell, Kerry Lynn Griffith, Shannon Paige Thompson, Delaney Lynn McWhorter, Jayden Christine Wilson, Kenzie Nicole Wilson, and Railen Blaizen Rozzell are the sole and only beneficiaries under the terms of the last will and testament of the said Neva Sue McWhorter, deceased, that the specific bequests to Christie Yong Wilson, Shadrach Inan Rackley, Jason Allen Cole, Candice Renee Rozzell, Kerry Lynn Griffith, Shannon Paige Thompson, Delaney Lynn McWhorter, Jayden Christine Wilson, Kenzie Nicole Wilson, and Railen Blaizen Rozzell have been satisfied and that all of the hereinbefore described real estate, all other property, and such other property as may not be specifically described herein or which may hereafter be discovered, be, and the same hereby is ordered transferred, conveyed, and assigned to Judith Ann Cole, Vicki Lynn Sires, Jeffery Alan McWhorter, and Mara Beth Harris, in equal shares.

Paul M. Vassar

Paul M. Vassar
District Judge

APPROVED AS TO FORM:

Dan A. Erwin

Dan A. Erwin, OBA #2757
118 West 8th Street
Chandler, OK 74834
Attorney for Personal Representative

I, Cindy Kay, Clerk of Lincoln County Oklahoma hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in my files in my office in Lincoln County, Oklahoma on the 16th day of July 2010.

CINDY KAY, CLERK
By *Cindy Kay* Deputy

EXHIBIT A

EXHIBIT "A"

Account No. 82722454, The Income Fund of America - A

Metlife Variable Annuity, Account No. [REDACTED]

Tinker Federal Credit Union, Account No. [REDACTED] 2

Stroud National Bank

Account No. 15338

Account No. 5540

1999 Honda, VIN #JHMCG5647XC026828

Household goods and furnishings

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