

Official Record

Recording requested By
GARY D FAIRMAN

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$21.00

Page 1 of 8

RPTT:

Recorded By: FES

Book- 510 Page- 0305

APN: 001-195-03

GRANTEE'S ADDRESS:

CAROLYN RAE ROWLEY
3996 Buckingham Sq.
Reno, NV 89503



0216425

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

COPY

NO.

FILED

NOV 30 2010

Case No. 1004-196

Dept. No. I

Eureka County Clerk
Jeanne Carver Deputy

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

* * * * *

IN THE MATTER OF THE ESTATE

OF

LEONA DAVIES ROWLEY, also known
as LEONA D. ROWLEY, also known
as LEONA D. HALL, also known as
LEONA W. ROWLEY, also known as
LEONA ROWLEY,

Deceased.

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

The verified First and Final Account, Petition for
Distribution, to Fix Attorney's Fees, and For Discharge of
CAROLYN RAE ROWLEY, Executrix coming on regularly for hearing
this 19th day of November, 2010, and due proof having been made
to the satisfaction of this Court, and the Court so finding that
the Clerk has given notice in all respects according to law, and
GARY D. FAIRMAN, ESQ., a Professional Corporation, Counsel for
said Executrix of said Estate having submitted the matter to the
Court, and no objections having been filed to said First and
Final Account, Petition for Distribution, to Fix Attorney's Fees
and For Discharge;

RECEIVED
NOV 30 2010
Eureka County
Clerk & Treasurer

1 THE COURT NOW FINDS that LEONA DAVIES ROWLEY, also
2 known as LEONA D. ROWLEY, also known as LEONA D. HALL, also known
3 as LEONA W. ROWLEY, also known as LEONA ROWLEY, died testate on
4 the 22nd day of December, 2009, in the County of Washoe, State of
5 Nevada, and at the time of her death was a resident of White Pine
6 County, State of Nevada; that CAROLYN RAE ROWLEY, was appointed
7 by the above-entitled Court as Executrix of the Estate of said
8 Decedent on the 9th day of June, 2010; that thereafter, on the
9 9th day of June, 2010, said Executrix qualified and Letters
10 Testamentary were issued to her, which Letters have never been
11 revoked, and the said CAROLYN RAE ROWLEY ever since has been and
12 still is now the duly appointed, qualified and acting Executrix
13 of the Estate of LEONA DAVIES ROWLEY, also known as LEONA D.
14 ROWLEY, also known as LEONA D. HALL, also known as LEONA W.
15 ROWLEY, also known as LEONA ROWLEY, Deceased.

16 THE COURT FURTHER FINDS:

17 That Notice to Creditors was published in The Eureka
18 Sentinel, a newspaper published in Eureka, White Pine County,
19 Nevada for the time and in the manner required by statute, due
20 proof of publication being on file herein and no claims were
21 filed against the estate.

22 That the Executrix did not cause a formal appraisal to
23 be made of the real property based upon the fact that the
24 appointed appraiser in the estate, BRENDA BOREN, advised the
25 Executrix that due to a lack of recent or similar sales in
26 Eureka, the actual assessed values on the real properties are



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

similar to the market value which it could found.

That the assessed values for the following described real property in Eureka County, State of Nevada, are more particularly described as follows, to-wit:

<u>DESCRIPTION</u>	<u>ASSESSED VALUE</u>
550 South Main Street, Lots 5, 6, and the N 12.5' of Lot 7, Block 30, Eureka Townsite	\$ 7,731.00
740 S. Monroe St	\$23,413.00

That the estate consists of the following described personal property:

1981 Peterbilt VIN No. 140081N	\$ not appraised
New Holland Bobcat Loader	\$ not appraised
Furniture and furnishings	\$ not appraised
Wells Fargo Checking Account ...3136 (as of Jan. 6, 2010)	\$ 6,489.40

That due to the nature and value of said Estate, the Executrix filed an Inventory and Appraisement and Verified Record of Value with this Court, showing the gross value of said Estate to be THIRTY SEVEN THOUSAND SIX HUNDRED THIRTY THREE AND 40/100 DOLLARS (\$37,633.40).

The recapitulation of income and expenses show a total cash value of the estate to be distributed in the sum of \$5,699.50 prior to payment of attorney's fees and administration fees.

....

1 That due to the value of said Estate, it is not
2 necessary for said Executrix to file a Federal Estate and
3 fiduciary tax returns for the year 2010.

4 That the names, relationships, and residences of the
5 heirs and devisees and the ages of any minor child(ren) of said
6 Decedent are as follows:

<u>NAME AND ADDRESS</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
8 RUSSELL WILLIAM ROWLEY 9 P.O. Box 238 Eureka, Nevada 89316	Over 21	Son
10 RAND LEO ROWLEY 11 P.O. Box 2203 Elko, Nevada 89801	Over 21	Son
12 ANTHONY J ROWLEY 13 P.O. Box 39 Eureka, Nevada 89316	Over 21	Son
14 CAROLYN RAE ROWLEY 15 3996 Buckingham Sq. Reno, Nevada 89503	Over 21	Daughter

16 That the Executrix, CAROLYN RAE ROWLEY, has performed
17 all duties and services required of her as Executrix of said
18 Estate and is entitled to compensation but has declined to accept
19 the same; that GARY D. FAIRMAN, ESQ., a Professional Corporation,
20 has rendered legal services to the Executrix and to the Estate
21 and is entitled to compensation therefor and that said Attorney
22 has agreed with the Executrix that a fee in the sum of THREE
23 THOUSAND FOUR HUNDRED SIXTY-FIVE DOLLARS (\$3,465.00) is
24 reasonable and proper; that said Attorney has advanced the sum of
25 FIVE HUNDRED TWENTY-TWO AND 04/100 DOLLARS (\$522.04) as costs and
26 expenses in connection with his representation of the Executrix

1 of the Estate which he has been reimbursed.

2 That the Estate is now in a condition to be settled and
3 distributed pursuant to said First and Final Account, Petition
4 for Distribution, to Fix Attorney's Fees and For Discharge;

5 From the foregoing, the Court makes its Order as
6 follows:

7 ORDER

8 IT IS HEREBY ORDERED that said First and Final Account
9 be, and the same is hereby allowed, approved and settled, and
10 found correct in all respects;

11 IT IS HEREBY FURTHER ORDERED that after the payment of
12 the fees herein, that the residue of said Estate be distributed
13 pursuant to the Last Will and Testament of LEONA DAVIES ROWLEY,
14 also known as LEONA D. ROWLEY, also known as LEONA D. HALL, also
15 known as LEONA W. ROWLEY, also known as LEONA ROWLEY, as follows:

16 (a) TO ANTHONY ROWLEY:

17 A new Holland Bobcat Loader

18 (b) An undivided 62.5% interest in real property
19 described as 550 South Main Street, Eureka, Nevada
APN #001-166-030

20 Lots 5, 6 and N 12.5' of Lot 7, Block 30,
21 Eureka Townsite.

22 (c) The real property known as 740 S. Monroe Street,
23 Eureka, Nevada
APN #001-195-03

24 The N 1/2 of the following described real property
where the shop/garage is located:

25
26
.....



1 All of Block 49 as shown on the official map
2 now on file in the office of the Eureka
3 County Recorder except a portion lying
4 westerly of the "Eureka Channel" further
5 described as follows:

6 Beginning at the Northwest corner of said
7 Block 49. Thence North 81°30' West, a
8 distance of 64.41 feet to a point; Thence
9 South 24°30' West, a distance of 90.53 feet
10 to a point; Thence South 14°45' West, a
11 distance of 41.83 feet to a point; Thence
12 North 63°16' West, a distance of 26.78 feet
13 to a point being the Southwest corner of said
14 Block 49; Thence North 4°45' East, a distance
15 of 109.00 feet to the TRUE POINT OF BEGINNING.

16 (d) TO RAND LEO ROWLEY:

17 The sum of \$2,500.00.

18 (e) TO CAROLYN RAE ROWLEY:

19 The real property known as 740 S. Monroe Street,
20 Eureka, Nevada, consisting of the residence.
21 APN #001-195-03

22 The S 1/2 of the following described real
23 property:

24 All of Block 49 as shown on the official map
25 now on file in the office of the Eureka
26 County Recorder except a portion lying
westerly of the "Eureka Channel" further
described as follows:

Beginning at the Northwest corner of said
Block 49. Thence North 81°30' West, a
distance of 64.41 feet to a point; Thence
South 24°30' West, a distance of 90.53 feet
to a point; Thence South 14°45' West, a
distance of 41.83 feet to a point; Thence
North 63°16' West, a distance of 26.78 feet
to a point being the Southwest corner of said
Block 49; Thence North 4°45' East, a distance
of 109.00 feet to the TRUE POINT OF BEGINNING.

All personal property and contents of the
residence located at 740 S. Monroe Street,
Eureka, Nevada.

1 (f) TO RUSSELL W. ROWLEY, ANTHONY J ROWLEY,
2 AND CAROLYN RAE ROWLEY IN EQUAL SHARES:

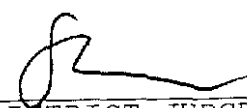
3 All of the rest, residue, and remainder of
4 the Decedent's estate, including the checking
5 account at Wells Fargo Bank, Account ...3136
6 after payment of all debts.

7 IT IS HEREBY ORDERED that CAROLYN RAE ROWLEY,
8 Executrix, pay the following expenses:

9 Attorney's fees to GARY D. FAIRMAN, ESQ., A
10 Professional Corporation, as and for services rendered in the sum
11 of THREE THOUSAND FOUR HUNDRED SIXTY-FIVE DOLLARS (\$3,465.00).
12 That sum of FIVE HUNDRED TWENTY-TWO AND 04/100 DOLLARS (\$522.04)
13 as costs and expenses in connection with his representation of
14 the Executrix of the Estate which he has been reimbursed.

15 IT IS HEREBY FURTHER ORDERED that at such time as said
16 Executrix has made all proper transactions in accordance with
17 this Order, and has paid all expenses pursuant to this Order,
18 that Petitioner be discharged from her trust.

19 DONE AND DATED this 18 day of November, 2010.

20 
DISTRICT JUDGE

21 Submitted By:

22 GARY D. FAIRMAN, ESQ.
23 A Professional Corporation
24 P.O. Box 151105
25 Ely, Nevada 89315

26 
GARY D. FAIRMAN, ESQ.
Nevada Bar No. 000210

SEVENTH JUDICIAL DISTRICT COURT,
IN AND FOR COUNTY OF EUHEKA, } SS
STATE OF NEVADA

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 November, 20 10

County Clerk and Ex-Officio Court Clerk


Deputy Clerk

0216425

Book 510 11/30/2010
Page: 312 Page 8 of 8