

DOC # 0216582

12/22/2010

01:54 PM

**Official Record**

Recording requested By  
JAMES M COPENHAVER

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$22.00

Page 1 of 9

RPTT:

Recorded By: FES

Book- 511 Page- 0163

APN: 005-210-45

Recording requested by:

James M. Copenhaver  
JAMES M. COPENHAVER, PC  
950 Idaho Street  
Elko, Nevada 89801

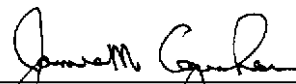


0216582

**ORDER APPROVING FIRST AND FINAL ACCOUNTING,  
REPORT OF EXECUTRIX, APPROVING ATTORNEY  
FEES AND COSTS AND FOR FINAL DISTRIBUTION  
OF ESTATE**

AFFIRMATION STATEMENT

The undersigned hereby affirms that the foregoing pleading, including any exhibits, DOES NOT contain the Social Security number of any person or persons.

  
\_\_\_\_\_  
James M. Copenhaver

DEC 17 2010

Eureka County Clerk  
By *Jeannette Conley* Deputy

1 CASE NO. PR-1007-200

2 DEPT NO. 1

3

4

5

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

8

9 IN THE MATTER OF THE ESTATE OF  
10 **CHARLES RICHARD HARPER a.k.a.**  
11 **CHARLES R. HARPER a.k.a. CHARLES**  
12 **HARPER,**

Deceased.

12

13

14

15 The Verified FIRST AND FINAL ACCOUNTING, REPORT OF  
16 EXECUTOR, REQUEST FOR APPROVAL OF ATTORNEY FEES AND COSTS, WAIVER  
17 OF EXECUTRIX FEES, AND PETITION FOR FINAL DISTRIBUTION of the  
18 Executor, **IRENE HARPER**, came on regularly for hearing on Friday,  
19 December 17, 2010, at 10:00 A.M. No person appeared to contest the  
20 Petition. Upon proof duly made to the satisfaction of the Court,  
21 the Court now finds as follows:

21

22 1. That due and legal notice of hearing of the FIRST  
23 AND FINAL ACCOUNTING, REPORT OF EXECUTRIX, REQUEST FOR APPROVAL OF  
24 ATTORNEY FEES AND COSTS, WAIVER OF EXECUTRIX FEES, AND PETITION FOR  
25 FINAL DISTRIBUTION has been given to all persons interested in said  
26 Estate as required by law.

26

27 2. **CHARLES RICHARD HARPER a.k.a. CHARLES R. HARPER**  
28 **a.k.a. CHARLES HARPER** died on or about the 11<sup>th</sup> day of June, 2010,  
in the County of Eureka, State of Nevada, and was at the time of

28

**RECEIVED**  
**DEC 13 2010**  
Eureka County  
Clerk & Treasurer

1 his death over the age of majority and a resident of the Town of  
2 Beowawe, Eureka County, State of Nevada.

3 3. CHARLES RICHARD HARPER a.k.a. CHARLES R. HARPER  
4 a.k.a. CHARLES HARPER left a Will dated March 23, 2007 .

5 4. IRENE HARPER was appointed as Executrix of the  
6 Estate on 25th day of August, 2010 and was appointed to serve  
7 without having to post a bond and Letters of Administration were  
8 issued on September 3, 2010.

9 5. On August 31, 2009, a Notice to Creditors was filed  
10 with the Court. The Affidavit of Publication of Notice to  
11 Creditors was filed on September 29, 2009. A Declaration of  
12 Service By Mail of Notice to Creditors was filed August 31, 2009.  
13 The time for filing Creditor's Claims expired on October 31, 2009.

14 6. No Creditor's Claims were filed against the Estate.

15 7. Pursuant to the Decedent's will, the Decedent's  
16 surviving daughter, IRENE HARPER is the sole heir of the Decedent's  
17 estate.

18 8. The names, ages relationships and addresses of the  
19 heirs, devisees and legatees of said Decedent are:

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
21 IRENE HARPER	Adult-Daughter	P.O. Box 237 Sonoma, CA 95476
22 MATTHEW STEPHENSON	Adult-Grandson	P.O. Box 237 23 Sonoma, CA 95476
24 ZACH STEPHENSON	Adult-Grandson	P.O. Box 237 25 Sonoma, CA 95476

26 9. The assets of the estate consist of the following:

27 Personal Property

28 1. Bank Accounts at Nevada State Bank: # [REDACTED] 2  
[REDACTED]

- 1 2. Miscellaneous Personal Property
- 2 3. 1974 Toyota Land Cruiser
- 3 4. 1988 Chevrolet motor home
- 4 5. 1994 HD FLSM Nostalga
- 5 6. 2001 HD Sportster

6 Real Property

- 7 1. SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 15,  
8 Township 30 N, Range 48 E, M.D.B.&M. Eureka  
County, State of Nevada.

9 Together with all buildings and improvements  
10 located thereon.

11 TOGETHER WITH all and singular the tenements,  
12 hereditaments, easements, and appurtenances  
13 thereunto belonging or in anywise  
14 appertaining, and the reversions, remainders,  
15 rents, issues and profits thereof, or of any  
16 part thereof.

17 SUBJECT TO all taxes and assessments,  
18 reservations, exceptions, easements, rights of  
19 way, limitations, covenants, conditions,  
20 restrictions, terms, liens, charges and  
21 licenses affecting the property of record.

22 APN: 005-210-45

- 23 2. Fifty percent (50%) interest in the following  
24 unpatented lode mining claims located in Section 28  
25 of Township 29 North, Range 47 East, MDB&M in  
26 Bullion Mining District of Lander County, Nevada,  
27 and more particularly described as follows:

<u>Claim Name</u>	<u>BLM NMC NO(S)</u>
28 Colorback #1	NMC731872
29 Colorback #2	NMC731873
30 Colorback #3	NMC731874
31 Colorback #4	NMC731875
32 Colorback #5	NMC731876
33 Colorback #6	NMC731877
34 Colorback #7	NMC731878
35 Colorback #8	NMC731879
36 Colorback #9	NMC731880
37 Colorback #10	NMC731881
38 Colorback #11	NMC731882
39 Colorback #12	NMC731883
40 Colorback #13	NMC819473
41 Colorback #14	NMC819474

1	Colorback #15	NMC731884
	Colorback #16	NMC731885
2	Colorback #17	NMC731886
	Colorback #18	NMC731887
3	Colorback #19	NMC731888
	Colorback #20	NMC731889
4	Colorback #21	NMC731890
	Colorback #22	NMC731891
5	Colorback #23	NMC731892
	Colorback #24	NMC731893
6	Colorback #25	NMC731894
	Colorback #26	NMC731895
7	Colorback #27	NMC731896
	Colorback #28	NMC731897
8	Colorback #29	NMC658879
	Colorback #30	NMC658880
9	Colorback #31	NMC658881
	Colorback #32	NMC819475
10	Colorback #33	NMC819476
	Colorback Fraction 34	NMC658882
11	New Mayflower 35	NMC658883

12           10. The total assets of the Estate prior to paying  
13 expenses of the Estate are \$ 198,485.00, as verified by the First  
14 Amended Inventory, Appraisement and Record of Value of the Estate  
15 filed herein.

16           11. No Federal Estate Tax Return needs to be filed.

17           12. The Executrix shall have a final Income Tax Return  
18 filed for the Decedent; if required.

19           13. The Executrix, **IRENE HARPER**, is entitled to a  
20 statutory fee for serving as Executrix of the Estate in the amount  
21 of \$5,119.70 and the request to waive the same as she is the sole  
22 heir of the Estate should be granted.

23           14. The services rendered by **JAMES M. COPENHAVER, P.C.**  
24 acting as and for the attorney for the Executrix in the amount of  
25 \$5,087.75 should be ordered paid.

26           15. **JAMES M. COPENHAVER, P.C.**, the attorney for the  
27 Executrix of the Estate, has incurred costs in the administration  
28 of the Estate in the amount of \$783.50 and these costs should be

1 ordered paid by the Estate together with any other costs advanced  
2 for closing the Estate.

3 16. This Estate is now in a condition to be finally  
4 settled and distributed.

5 BASED UPON THE FOREGOING, the Court hereby orders the  
6 following:

7 1. The administration of the estate of **CHARLES RICHARD**  
8 **HARPER a.k.a. CHARLES R. HARPER a.k.a. CHARLES HARPER**, Decedent, is  
9 settled, allowed, and approved as filed, without any further  
10 accounting.

11 2. The First and Final Account of the Executrix is  
12 settled, allowed, and approved as filed.

13 3. All acts and transactions of the Executrix as  
14 disclosed in the First and Final Account are confirmed and  
15 approved.

16 4. The Executrix is authorized and directed to pay the  
17 law firm of **JAMES M. COPENHAVER, P.C.**, the attorneys for the  
18 Executrix, the sum of \$5,087.75 as reasonable compensation for  
19 legal services rendered during the administration of the estate,  
20 together with the additional sum of \$783.50 for costs advanced to  
21 date by the firm in the administration of the estate, plus any  
22 additional costs advanced by the law firm on behalf of the estate.

23 5. That after payment of the administrative fees and  
24 costs, funeral expenses, the balance of the assets of the estate,  
25 are hereby distributed to **IRENE HARPER**, as her sole and separate  
26 property as follows:

27 ///

28 ///



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  
27  
28

Personal Property

- 1. Bank Accounts at Nevada State Bank: # [REDACTED] 2  
# [REDACTED] 2
- 2. Miscellaneous Personal Property
- 3. 1974 Toyota Land Cruiser
- 4. 1988 Chevrolet motor home
- 5. 1994 HD FLSM Nostalga
- 6. 2001 HD Sportster

Real Property

- 1. SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 15, Township 30 N, Range 48 E, M.D.B.&M. Eureka County, State of Nevada.

Together with all buildings and improvements located thereon.

TOGETHER WITH all and singular the tenements, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof, or of any part thereof.

SUBJECT TO all taxes and assessments, reservations, exceptions, easements, rights of way, limitations, covenants, conditions, restrictions, terms, liens, charges and licenses affecting the property of record.

APN: 005-210-45

- 2. Fifty percent (50%) interest in the following unpatented lode mining claims located in Section 28 of Township 29 North, Range 47 East, MDB&M in Bullion Mining District of Lander County, Nevada, and more particularly described as follows:

<u>Claim Name</u>	<u>BLM NMC NO(S)</u>
Colorback #1	NMC731872
Colorback #2	NMC731873
Colorback #3	NMC731874
Colorback #4	NMC731875
Colorback #5	NMC731876
Colorback #6	NMC731877
Colorback #7	NMC731878
Colorback #8	NMC731879
Colorback #9	NMC731880

1	Colorback #10	NMC731881
	Colorback #11	NMC731882
2	Colorback #12	NMC731883
	Colorback #13	NMC819473
3	Colorback #14	NMC819474
	Colorback #15	NMC731884
4	Colorback #16	NMC731885
	Colorback #17	NMC731886
5	Colorback #18	NMC731887
	Colorback #19	NMC731888
6	Colorback #20	NMC731889
	Colorback #21	NMC731890
7	Colorback #22	NMC731891
	Colorback #23	NMC731892
8	Colorback #24	NMC731893
	Colorback #25	NMC731894
9	Colorback #26	NMC731895
	Colorback #27	NMC731896
10	Colorback #28	NMC731897
	Colorback #29	NMC658879
11	Colorback #30	NMC658880
	Colorback #31	NMC658881
12	Colorback #32	NMC819475
	Colorback #33	NMC819476
13	Colorback Fraction 34	NMC658882
	New Mayflower 35	NMC658883

15 6. Any property interest of the Decedent or of the  
 16 estate in any other property not now known or discovered shall be  
 17 distributed to the Decedent's sole heir, **IRENE HARPER**, as her sole  
 18 and separate property.

19 IT IS SO ORDERED this 17<sup>th</sup> day of December, 2010.

21 By Steven L. Dobrescu  
 22 STEVEN L. DOBRESCU  
 DISTRICT JUDGE, DEPARTMENT 1

23 ///  
 24 ///  
 25 ///  
 26 ///  
 27 ///  
 28 ///

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 17<sup>th</sup> day of December 2010 WITNESS My Hand and Seal of said  
 County Clerk and Ex-Officio Court Clerk  
Joanna M. Centello Deputy Clerk



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  
27  
28

AFFIRMATION STATEMENT

The undersigned hereby affirms that the foregoing pleading, including any exhibits, DOES NOT contain the Social Security number of any person or persons.

JAMES M. COPENHAVER

**COPIES**