

DOC # 0229777

08/24/2015

01:10 PM

Official Record

Recording requested by
GOICOECHEA, DEGRAZIA, COYLE &

Eureka County - NV

Sara Simmons - Recorder

Fee: \$23.00

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RPTT:

Recorded By: LH

Book- 582 Page- 0204

APN: 002-044-009 &
002-044-003

Recording Requested
By and Return To:
Goicoechea, Di Grazia,
Coyle & Stanton, Ltd.
530 Idaho Street
Elko, NV 89801



Mail tax statements to:
724 7th Street
Crescent Valley, NV 89821

The undersigned affirms that
this document does not contain
a social security number.

Order Settling First and Final Accounting,
Approval for Payment of Attorney Fees,
Executor Fees, and Distribution of Estate

AUG 07 2015

Eureka County Clerk

By *[Signature]*

1 CASE NO. PR 1409-311

2 DEPARTMENT NO. 1

3
4
5 IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
6 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA
7

8 In the Matter of the Estate of
9 **MICHAEL ROY WRIGHT, aka**
10 **MICHAEL R. WRIGHT, aka**
11 **MICHAEL WRIGHT,** Deceased.

**ORDER SETTLING FIRST AND
FINAL ACCOUNTING, APPROVAL
FOR PAYMENT OF ATTORNEY
FEES, EXECUTOR FEES, AND
DISTRIBUTION OF ESTATE**

12 **TIMOTHY J. ROTH**, Executor of the above-entitled Estate, having on the 17th
13 day of June, 2015, rendered and filed herein a full accounting of the administration
14 of said estate, which accounting was for final settlement, and having with said
15 accounting filed a petition for distribution of Estate, and made application for
16 approval of attorney fees; said accounting, application and petition having come on
17 regularly to be heard on the 7th day of August, 2015, at 10:00 a.m.; and proof having
18 been made to the satisfaction of the Court that notice of the settlement of said
19 accounting and of the hearing of the application and petition has been given in the
20 manner and for the time required by law, as more fully appears by the Affidavit of
21 Mailing by Mail on file herein, the Court hereby finds:

22 1. That due and legal notice of the hearing of said accounting, application and
23 petition has been given to all persons interested in said Estate.

24 2. That said accounting is in all respects true and correct.

25 3. That due and legal Notice to Creditors of said Estate has been given in the
26 manner and for the time required by law; that the time for filing of Creditor's Claims
27 has expired. Two credit claims were filed and approved. There is no money in the
28 estate to pay the creditor's claims.



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JUL 31 2015

Eureka County
Clerk & Treasurer

1 4. That MICHAEL R. WRIGHT died on August 11, 2014; was a resident of the
2 State of Nevada at the time of his death; left property subject to probate in Eureka
3 County, Nevada; and died leaving a holographic Will.

4 5. That Petitioner was named Executor on October 9, 2014, and was issued
5 Letters of Testamentary on October 13, 2014. The Petitioner now is, and ever since
6 said date has been the duly appointed, qualified and acting Executor of the Estate.

7 6. That the Petitioner has made and returned to this Court a true Inventory,
8 Appraisal and Record of Value of all of the Estate located in Lander and Eureka
9 Counties, Nevada, of the Decedent subject to probate which has come to his
10 knowledge and possession.

11 7. The names, relationship, ages and residences of the heirs, devisees and
12 legatees of the Decedent are:

<u>Name</u>	<u>Address</u>	<u>Age</u>	<u>Relationship</u>
Wallace E. Wright	724 7 th Street Crescent Valley, NV 89821	Adult	Brother
Nilson D. Oliveira	724 7 th Street Crescent Valley, NV 89821	Adult	Friend
Timothy J. Roth	830 Glen Martin Drive Sparks, NV 89434	Adult	Friend
Jakeb I. Wright	265 Addison Avenue Twin Falls, ID 83301-5176	Minor	Nephew
Derreck Tea	5730 Ursula Ct. Sun Valley, NV 89433	Adult	Friend

22 8. The property within the jurisdiction of this Court now under the care,
23 management and control of the Executor which was the property of the Decedent
24 and subject to distribution is as follows:

- 25 A. One-half interest in Real Property in Crescent Valley,
26 Nevada with a total value of \$60,000.00 \$30,000.00
- 27 B. 1999 Toyota 4Runner \$966.00
- 28 C. Decedent's interest in Unpatented Mining Claims in
Lander County, Nevada with a total value of \$70,000.00 \$26,250.00

1 D. Verified Record of Value

\$16.83

2 9. Pursuant to the Last Will and Testament of Decedent, the Petitioner is
3 authorized and directed to distribute all of the rest, residue and remainder of the
4 said Estate, including any property not known or hereafter discovered, as follows:

5 50% ownership I have in the Colorback mine, be divided in the following
6 manner: I wish 5% of the purchase to be given to Nilson Oliveira; Timothy
7 Roth to receive 5%; to my nephew, Jacob Italy Wright to also receive 5%;
8 Derreck Tea 5%. My personal property not also specified, goes to Nilson
9 D. Oliveira. My share of our jointly owned turquoise collection goes to
10 Wallace E. Wright and Nilson Oliveira, in equal shares. With the exception
11 of the finished collector pieces. Bank accounts in my name, including Wells
12 Fargo, US Bank and NV State Bank goes to Timothy J. Roth and Jacob
13 Italy Wright in equal shares. Any interest I hold in heavy equipment,
14 including the Case bulldozer, Ingersoll Rand Compressor and Hobart
15 Welder goes to Wallace E. Wright. I wish for my real property ownership in
16 Crescent Valley NV which is 50% ownership. I would like for 50% of my
17 50% ownership to go to Nilson Oliveira. And I wish for the remainder of my
18 interest to go to my brother, Wallace E. Wright. My 1/2 of any rental income
19 currently in effect, or in the future of the 45X60 single wide, 2 bd/2ba on
20 650 Ruby Way. I wish and intend this income go to any expenses accrued
21 at the property. The remainder of my interest in the monies from the sale
22 of the Colorback Mining claims, be divided between the following in equal
23 parts: Timothy J. Roth, Nilson D. Oliveira and Jacob Italy Wright, my
24 nephew.

21 Thus, the decedents 1/2 ownership interest in the Colorback mine
22 (which includes the Colorback and Scotty mining claims) should be
23 distributed as follows:

24 10% to Derreck Tea
25 30% to Timothy J. Roth
26 30% to Nilson Oliveira
27 30% to Jakeb I. Wright



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1 10. That Petitioner, **TIMOTHY J. ROTH**, has performed services for the
2 Estate as Executor for which he is entitled to a fee in the sum of \$3,000.00.

3 11. That the law firm of Goicoechea, Di Grazia, Coyle & Stanton, Ltd.,
4 Attorneys at Law, Elko, Nevada, has performed services for the Estate acting as
5 attorneys for the Executor of the Estate and have performed services on behalf of
6 the Estate including, but not limited to, the services set forth in the Application for
7 Approval of Attorney fees filed on June 17, 2015; the Executor and the attorneys
8 have agreed that the total sum of \$17,205.00, is a reasonable fee for services
9 rendered and to be rendered by the attorneys.

10 12. That the law firm of Goicoechea, Di Grazia, Coyle & Stanton, Ltd., has
11 advanced costs in the sum of \$317.08, and estimates that additional costs not in
12 excess of \$100.00, will be expended in closing the Estate for which they are
13 entitled to be reimbursed.

14 13. That all necessary and incidental fees and costs for closing the Estate
15 be ordered paid.

16 14. That all claims against said Decedent and against the Estate have
17 been paid in full; that all expenses and charges of administration except as
18 hereinabove specifically set out have been paid in full; that expenses of last
19 illness and funeral expenses have been paid in full; and, that said Estate is ready
20 for distribution and is now in a condition to be closed.

21
22 **NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND**
23 **DECREED:**

24 1. That due and legal notice of the hearing of this First and Final
25 Accounting, Application for Approval of Attorney Fees and Executor's Fees, and
26 Petition for Distribution of Estate has been given to all persons interested in said
27 Estate as required by law.



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1 2. That Notice to Creditors has been given to all persons interested in
2 said Estate as required by law; the time for preparation of Creditor's Claims has
3 expired. Two creditor's claims were filed and approved. There is no money in
4 the estate to pay the creditor's claims.

5 3. That the First and Final Accounting be, and the same is hereby
6 approved, allowed and settled.

7 4. That the Executor is ordered to pay from the funds of the Estate the
8 following amounts for the purposes stated, which amounts are determined to be
9 reasonable:

- 10 a. To Goicoechea, Di Grazia, Coyle & Stanton, Ltd., the sum of
- 11 \$17,205.00, for services rendered and to be rendered.
- 12 b. To Goicoechea, Di Grazia, Coyle & Stanton, Ltd., reimbursement of
- 13 costs advanced in the sum of \$317.08, and necessary costs of
- 14 closing in an amount not to exceed \$100.00.
- 15 c. To TIMOTHY J. ROTH the sum of \$3,000.00.

16 5. That subject to the payment of cost of administering the estate, the
17 remaining property of the estate is hereby distributed as follows:

18 a. The decedent's one-half interest in the real property in Crescent
19 Valley, Nevada, is distributed as follows: undivided one-half interest
20 to Nilson D. Oliveira, the remaining undivided one-half interest to
21 Wallace E. Wright. The real property is described as follows:

22 i. Improved Real Property and Residences
23 located in Crescent Valley, Nevada

24 APN 002-044-009
25 Lot 7, Block 33, of Crescent Valley Ranch & Farms Unit No.
26 1, as per map recorded in the Office of the County Recorder
27 of Eureka County, Nevada, as File No. 34081.

1 TOGETHER with any and all buildings and
2 improvements situate thereon.

3 SUBJECT to all prior reservation and restrictions of record,
4 including a reservation of oil, gas and mineral rights reserved
5 in a Deed recorded September 24, 1951, in Book 24 of Deeds,
6 Page 168, Eureka County, Nevada.

7 TOGETHER with the tenements, hereditaments and
8 appurtenances thereunto belonging or appertaining, and the
9 reversion and reversions, remainder and remainders, rents,
10 issues and profits thereof.

11 ii. Vacant Property located in Crescent Valley, Nevada

12 APN 002-044-003

13 Lot 2, Block 33, of Crescent Valley Ranch & Farms Unit No. 1, as
14 per map recorded in the Office of the County Recorder of Eureka
15 County, Nevada, as File No. 34081.

16 TOGETHER with any and all buildings and
17 improvements situate thereon.

18 SUBJECT to all prior reservation, restrictions and
19 easements of record.

20 TOGETHER with the tenements, hereditaments and
21 appurtenances thereunto belonging or appertaining, and
22 the reversion and reversions, remainder and
23 remainders, rents, issues and profits thereof.

24 b. The decedents interest in the Colorback Mining claims is distributed
25 as follows:

26 i. his 1/2 interest in the Scotty claims is distributed as
27 follows:
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1 10% to Derreck Tea
2 30% to Timothy J. Roth
3 30% to Nilson Oliveira
4 30% to Jakeb I. Wright

5 The Scotty Claims are described as follows:
6 The following unpatented lode mining claims located in
7 Section 28 of Township 29 North, Range 47 East,
8 MDB&M, in the Bullion Mining District of the Lander
9 County, Nevada, and more particularly described as
10 follows:

<u>Claim Name</u>	<u>BLM No.</u>
Gemstone	1045242
Rocky	1045243
Amy	1045244
Scotty No. 1	1045245
Scotty No. 2	1045246
Scotty No. 3	1045247
Scotty No. 4	1045248

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17 ii. his 1/4 interest in the Colorback claims is distributed as follows:
18 10% to Derreck Tea
19 30% to Timothy J. Roth
20 30% to Nilson Oliveira
21 30% to Jakeb I. Wright

22 The Colorback Claims are described as follows:
23 The following unpatented lode mining claims located in
24 Section 28 of Township 29 North, Range 47 East,
25 MDB&M, in the Bullion Mining District of the Lander
26 County, Nevada, and more particularly described as
27 follows:

<u>Claim Name</u>	<u>BLM NMC No(s)</u>
Colorback #1	NMC731872
Colorback #2	NMC731873



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Colorback #3	NMC731874
Colorback #4	NMC731875
Colorback #5	NMC731876
Colorback #6	NMC731877
Colorback #7	NMC731878
Colorback #8	NMC731879
Colorback #9	NMC731880
Colorback #10	NMC731881
Colorback #11	NMC731882
Colorback #12	NMC731883
Colorback #13	NMC819473
Colorback #14	NMC819474
Colorback #15	NMC731884
Colorback #16	NMC731885
Colorback #17	NMC731886
Colorback #18	NMC731887
Colorback #19	NMC731888
Colorback #20	NMC731889
Colorback #21	NMC731890
Colorback #22	NMC731891
Colorback #23	NMC731892
Colorback #24	NMC731893
Colorback #25	NMC731894
Colorback #26	NMC731895
Colorback #27	NMC731896
Colorback #28	NMC731897
Colorback #29	NMC658879
Colorback #30	NMC658880
Colorback #31	NMC658881
Colorback #32	NMC819475
Colorback #33	NMC819476
Colorback Fraction	NMC658882
New Mayflower	NMC658883
	Total claims 35



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1 c. The decedent's 1999 Toyota 4Runner VIN No.
2 JT3HN86R4X219101 is distributed to Nilson Oliveira.

3 6. That said Estate be brought to a close and that the Executor be
4 discharged upon producing and filing the necessary vouchers and proof showing
5 that he has complied with the Order of the Court.

6
7 DONE IN OPEN COURT this 7th day of August, 2015.

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9
10 15/Gary D Fairman
11 DISTRICT JUDGE
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24 SEVENTH JUDICIAL DISTRICT COURT,
25 IN AND FOR COUNTY OF EUREKA, } SS
26 STATE OF NEVADA

27 I, the Undersigned COUNTY CLERK and Ex-Officio
28 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 7th WITNESS My Hand, and Seal of said
day of August 20 15

County Clerk and Ex-Officio Court Clerk
Debra M. Cantelero Deputy Clerk

