

APN # \_\_\_\_\_

Recording Requested By:

Name Cynthia E. Troxel

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

EUREKA COUNTY, NV

Rec: \$35.00

Total: \$35.00

CYNTHIA E TROXEL

**2018-236140**

**09/28/2018 11:20 AM**

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LISA HOEHNE, RECORDER

Order  
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fees applies)

FILED

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SUE SEVON  
COURT CLERK

BY Shellee Hooten DEPUTY

Case No. 16-10DC-1429

Dept. No.: I

IN THE TENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF CHURCHILL

In the Matter of the Estate of  
BERNARD PONTE,  
Deceased.

**ORDER SETTLING SECOND AND  
FINAL ACCOUNTING AND  
FOR FINAL DISTRIBUTION**

The Hearing on the Second and Final Accounting and Petition for Fees and for Final Distribution filed on the September 5, 2018 by BERNARD PONTE, JR. and CYNTHIA E. TROXEL, Personal Representatives of the Estate of BERNARD PONTE ("the Decedent"), came on regularly for hearing on September 25, 2018; Petitioner was present, and was represented in Court by MICHAEL F. MACKEDON, of the law firm of MACKEDON LAW, P.C. The Court, having reviewed the Second and Final Accounting, and Petition for Fees and for Final Distribution, and there being no opposition thereto, and GOOD CAUSE APPEARING THEREFORE, finds as follows:

1. That notice of the hearing was given in accordance with the law;
2. That all allegations in the Second and Final Accounting, and Petition for Fees and for Final Distribution are true and correct; and
3. That the Decedent's Estate is in a condition to be finally settled and the assets thereof distributed to the devisee hereinafter named.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Second and Final Accounting of the Personal Representatives, and all actions taken by the Personal

Representatives in connection therewith as set forth in the Accounting and Petition, are approved and ratified

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Personal Representatives pay the sum of THIRTY-NINE THOUSAND NINE HUNDRED FORTY-THREE DOLLARS and 45/100 (\$39,943.45), representing income attributable to disclaimed assets addressed in the First Account and Report of Co-Administrators, for Partial Distribution for Extension of Time to Close and For Grant of Authority to Make a Boundary Line Adjustment and approved by the Court on October 24, 2017 as follows:

To RYAN B. TROXEL one-half (1/2)

To JULIE ALBRIGHT one-fourth (1/4)

To STEVEN PONTE one-fourth (1/4);

and,

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Personal Representatives pay to themselves the sum of TWENTY-FIVE THOUSAND (\$25,000.00) each; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Personal Representative pay to MACKEDON LAW, PC, the sum of FIFTY THOUSAND SIX HUNDRED ONE DOLLARS and 63/100 (\$50,601.63) as and for their fees and costs advanced in accord with the Fee Agreement on file herein; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following described mining claims located in Eureka County, Nevada be distributed to CIN-BER INVESTMENTS, LLC, a Nevada limited liability company in accord with the Agreements of the Petitioners as heirs to this estate:

**APN #009-330-05; 009-250-04; 009-300-08**

7/60<sup>th</sup> Interest - Cosmos; 7/60<sup>th</sup> Interest - Jones & Kyle; 7/60<sup>th</sup> Interest - Mary Ann; 7/60<sup>th</sup> interest - Silver Brick; 7/60<sup>th</sup> Interest - Wolverine; 3/40<sup>th</sup> Interest - Monroe; and 7/60<sup>th</sup> Interest - Wolverine Millsite.

Together with the tenements, hereditaments and appurtenances belonging or in anywise appertaining, the reversion and reversions,

remainder and remainders, rents, issues and profits thereof.

**APN #009-300-03**

Stockton - Patent Number 10229; Geddes No 4 - Patent Number 17373;  
Hogden - Patent Number 12851

Together with the tenements, hereditaments and appurtenances  
belonging or in anywise appertaining, the reversion and reversions,  
remainder and remainders, rents, issues and profits thereof.

And,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following described  
real property located in Carson City and Churchill County be distributed to BERNARD  
PONTE, JR. and CYNTHIA E. TROXEL in accord with the terms of the Decedent's Last will  
and Testament:

**302 E. William Street, Carson City, Nevada,  
APN 002-156-05**

Commencing at the NW corner of Block 31 of Van Winkel and  
Proctor's Division of Carson City, Nevada, the true point of  
beginning, thence around the parcel as follows:

S 89°46'30" E a distance of 56.66 feet; thence S 0°13'30" W a  
distance of 160.44 feet; thence N 87°56'30" W a distance of  
56.69 feet; thence N 0°13'30" E a distance of 158.63 feet to the  
true point of beginning.

The above and foregoing description was previously found  
recorded in Document #389600, Official Records of Carson City,  
Nevada.

**1250 Rice Road, Fallon, Nevada APN 008-272-03:**

Parcel 2-A of that certain Record of Survey in Support of a Boundary Line  
Adjustment recorded as Document No. 469193 dated August 8, 2018, in  
the Official Records of Churchill County Nevada, more particularly  
described as follows:

A parcel of land located in a portion of the East ½ of the NE ¼ of Section  
24, Township 19 North, Range 28 East and the West ½ of the NW ¼ of

Section 19, Township 19 North, Range 29 East, M.D.B.&M, County of Churchill, State of Nevada, more particularly described as follows:

BEGINNING at the Southwest corner of Parcel 2 of the Bernard Ponte Parcel Map recorded January 17, 1980 as Document 170387, Official Records, Churchill County, Nevada, and the TRUE POINT OF BEGINNING,

Thence leaving a tangent Bearing S 81°42'22" W 79.74 Feet along the arc of a 340.00 foot Radius Curve to the right, the central angle of which measures 13°26'16";

Thence N 84°51'00" W 147.97 Feet;

Thence S 00°20'23" E 50.23 Feet;

Thence S 84°51'00" E 143.14 Feet;

Thence 265.24 Feet along the arc of a 390.00 foot Radius Curve to the left, the central angle of which measures 38°58'00";

Thence N 56°11'00" E 201.07 Feet;

Thence 403.08 Feet the arc of a 1550.00 foot Radius Curve to the left, the central angle of which measures 14°54'00";

Thence N 41°17'00" E 771.80 feet; thence N 46°45'00" W. 50.03 feet;

Thence N 41°17'00" E 60.04 feet; thence S 46°45'00" E. 50.03 feet;

Thence N 41°17'00" E 41.48 feet;

Thence 173.70 Feet along the arc of a 850.00 foot Radius Curve to the right, the central angle of which measures 11°42'25";

Thence N 34°46'00" W 50.04 Feet;

Thence leaving a tangent Bearing N 53°07' E 100.01 Feet along the arc of a 900.00 foot Radius Curve to the right, the central angle of which measures 6°22'00";

Thence N 25°48'00" W 68.36 Feet;

Thence N 14°24'00" W 543.33 Feet;

Thence N 61°05'00" W 228.40 Feet;

Thence N 30°14'00" W 401.66 Feet;

Thence N 07°19'00" W 199.27 Feet;

Thence S 89°49'00" W 1044.37 Feet;

Thence S 00°20'23" E 1836.09 Feet;

Thence N 85°26'00" E 177.24 Feet;

Thence S 04°33'49" E 680.05 Feet TO THE TRUE POINT OF BEGINNING.

Contains 66.29 Acres, more or less. The basis of bearings is S 89°49'00" W along the North Line of Parcel 2 said Parcel Map.

The above and foregoing metes and bounds description was previously found recorded in Document #469194, Official Records of Churchill county, Nevada.

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**941-945 W. Williams Avenue, Fallon, NV, APN 001-271-08:**

Commencing at the intersection of the South property line of Williams Avenue and the West city limits of the City of Fallon, Nevada according to the survey of Stan C. Mitchell of the W. W. Williams Tract, running thence West on the South property line of Williams Avenue extended 365 feet thence Left at an angle of 90°2.33 feet to a 1" iron pipe stake, thence right at an angle of 90° 8.1 feet to a copper point in a concrete state highway monument marked "N" on the North side, thence left at an angle of 90°10 feet to a copper point on a concrete highway monument marked "N" on the side, thence right at an angle of 90°6.5 feet to a wood stake, thence continuing West along the South property line of the State Highway extended a distance of 395 feet to the place of beginning; thence West along the same course 75 feet, thence South 395 feet, thence East 75 feet, thence North 395 feet to the place of beginning.

The above and foregoing legal description was previously found recorded in Document #406837, Official Records of Churchill County, Nevada.

**Cin Ber Lane lot, Fallon, Nevada APN 008-273-06 and 008-273-08:**

A parcel of land in the NE¼ of the NE¼ of Section 24, T.19N., R.28E., MDB&M, and a portion of the NW¼ of the NW¼ of Section 19, T.19N., R.29E., MDB&M, according to the official plat thereof, described as follows:

Commencing at the SW corner of the E½ of the NE¼ of Section 24, T.19N., R.28E., MDB&M, from whence the West line of said E½ bears N 00°13' W; thence N 48°38' E a distance of 2159.96 feet to the intersection of the concrete line "U" Lateral ditch and the "JP" Lateral, the true point of beginning; thence around the parcel as follows:

N 25°48' W a distance of 68.36 feet; thence N 14°24' W a distance of 543.33 feet; thence N 61°05' W a distance of 228.4 feet; thence N 30°14' W a distance of 401.66 feet; thence N 07°19' W a distance of 199.27 feet to the North line of said Section 24; thence East along the North line of Section 19, T.19N., R.29E., MDB&M, a distance of 1280 feet to the NE corner of the NW¼ of the NW¼ of Section 19; thence S 00°14' E along the East line of the NW¼ of the NW¼ a distance of 728.16 feet to the center line of the "U" Lateral concrete ditch; thence along

said ditch as follows:

S 53°30' W a distance of 234.46 feet; thence Southwesterly along a tangent curve concave to the Northwest, having a radius of 400 feet, an arc distance of 83.32 feet; thence S 65°26' W a distance of 698.90 feet; thence Southwesterly along a tangent curve concave to the Southeast, having a radius of 900 feet; and arc distance of 93.48 feet to the true point of beginning.

EXCEPTING THEREFROM: A parcel of land in Lot 1, Section 19, T.19N., R.29E., MDB&M, bounded and described as follows:

Commencing at the SE corner of Lot 1, Section 19, T.19N., R.29E., MDB&M; thence N 00°26' W a distance of 587.1 feet to the true point of beginning; thence around the parcel as follows: S 53°30' W a distance of 233.83 feet; thence Southwesterly along a tangent curve concave to the Northwest, having a radius of 400 feet, an arc distance of 74.95 feet; thence N 00°26' W a distance of 917.79 feet to a point; thence N 89°23' E a distance of 253.4 feet to a point; thence S 00°26' E a distance of 742.75 feet to the true point of beginning.

FURTHER EXCEPTING THEREFROM: All that property included in the Subdivision Map for Ponte Estates, recorded December 18, 1971 as Document No. 128036, Official Records, Churchill County, Nevada.

FURTHER EXCEPTING THEREFROM: All that property as described in deeds recorded in Book 27, at Pages 121 and 129; in Book 32, at Page 148; in Book 33, at Page 278; in Book 47, at Page 485; in Book 50, at pages 23, 26 and 27; and in Book 56 at Page 129, Official Records, Churchill County, Nevada.

The above and foregoing metes and bounds description previously appeared in Document 406837 Official Records of Churchill County, Nevada.

**Rice Road lots, Fallon, Nevada APN 010-552-14:**

Lot 14, in Block B, of the Subdivision Map of Ponte Estates, #2, recorded June 23, 1977, as File No. 151950, Official Records, Churchill County, Nevada.

**755 S. Taylor Street, Fallon, Nevada APN 001-494-45:**

Parcel B of the Record of survey for Bernard Ponte, recorded November 17, 1983 as File No. 201670, Official Records,



Churchill County, Nevada;

and,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following described vehicles shall be distributed to BERNARD PONTE, JR. and CYNTHIA E. TROXEL,

One (1) 2006 Buick Lucerne CXL Sedan 4D, VIN 1G4HD57206U243719

One (1) 2005 Chevrolet Silverado 2500 HD Crew Cab LS, VIN 1GCHK232X5F900415

One (1) 1998 SunnyBrook Travel Trailer, 26CKS, VIN 4UBAS0M2XW1U09386

One (1) 1986 Honda FatCat, VIN JH2TE1108GK504000,

One (1) 1994 Klamath 14' aluminum boat hull #KLOB5215B494 with trailer, VIN 1CXBT141XRS404940;

and,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the rest, residue and remainder of the estate of BERNARD PONTE, Deceased, including any and all interest in GRANVILLE UTILITY, LLC, be distributed in equal shares to BERNARD PONTE, JR., and CYNTHIA E. TROXEL, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any asset hereafter discovered shall be distributed in equal shares to BERNARD PONTE, JR. and CYNTHIA E. TROXEL and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court retains jurisdiction of this matter to enter a Decree of Discharge, discharging the Personal Representatives from all liability thereafter to be incurred upon completion of the distribution as ordered by the Court.

DATED: This 25 day of September 2018.

CERTIFIED COPY

The document to which this certificate is attached is a full and correct copy of the original on file in my office.

Date: 9-25-18

San Joaquin County Clerk of Court  
and Clerk of the District Court  
District Court of the State of Nevada  
In and for the County of Churchill

*Julia Hester*

*2 S. Smith*  
DISTRICT COURT JUDGE