

1 No. 17-11-90-LP

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

FILED
31 APR 22 AIO: 34

COPY

CLERK OF COURT
DEPUTY

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

IN THE MATTER OF THE ESTATE)

OF)

JOHN M. WALLACE,)

Deceased.)

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

The verified First and Final Account, Petition for
Distribution and to Set Attorney's Fees of FIRST INTERSTATE BANK
OF UTAH, N.A., Executor, coming on regularly for hearing this,
the 22 day of Apr., 1991, 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 Executor of said Estate, being personally
present in Court, and no objections having been filed to said
First and Final Account, Petition for Distribution, and To Set
Attorney's Fees;

THE COURT NOW FINDS that JOHN M. WALLACE, died testate
on the 7th day of February, 1990, in the County of Salt Lake,

End.

1 State of Utah, and left an interest in patented mining claims
2 located in Lincoln County, State of Nevada; that FIRST INTERSTATE
3 BANK OF UTAH, N.A. was appointed by the above-entitled Court as
4 Executor of the Estate of said Decedent on the 14th day of
5 December, 1990; that the posting of bond was waived by this Court
6 due to the value of the estate being real property or an interest
7 therein; that thereafter, on the 14th day of December, 1990, said
8 Executor qualified and Letters of Summary Administration were
9 issued to them, which Letters have never been revoked, and the
10 said FIRST INTERSTATE BANK OF UTAH, N.A. ever since has been and
11 still is now the duly appointed, qualified and acting Executor of
12 the Estate of JOHN M. WALLACE, Deceased.

13 THE COURT FURTHER FINDS:

14 That Notice to Creditors was published in the Lincoln
15 County Record, a legal newspaper published in Lincoln County,
16 State of Nevada, for the time and in the manner required by
17 statute, due proof of publication being on file herein; That no
18 creditor's claims were filed against the Estate.

19 That due to the nature and the value of the Estate, the
20 Executor filed an Assessed Valuation with this Court on
21 Apr. 19, 1991, showing the gross value of said Estate
22 to be One Thousand Five Hundred Dollars (\$1,500.00);

23 That due to the value of said Estate in Nevada, it is
24 not necessary for said Executor to file a Federal Estate Tax
25 Return for the year 1990 and 1991;

26 . . .

1 That the heirs at law, devisees and legatees of the

2 Decedent are as follows:

3	<u>NAME AND ADDRESS</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
4	M. WALKER WALLACE 2510 Walker Lane Salt Lake City, Utah 84117	Adult	Son
6	MATTHEW H. WALLACE 5035 S. Wander Lane Salt Lake City, Utah 84117	Adult	Grandson
8	ANNE M. WALLACE 2510 Walker Lane Salt Lake City, Utah 84117	Adult	Granddaughter
10	ANDREW M. WALLACE 1615 East 3350 South Salt Lake City, Utah 84106	Adult	Grandson
12	JOHN W. WALLACE 3210 Skycrest Circle Salt Lake City, Utah 84108	Adult	Grandson
14	WHITNEY G. WALLACE 4487 Peach Street Salt Lake City, Utah 84117	Adult	Granddaughter
16	M. WALKER WALLACE, Trustee of the JOHN M. and GLENN WALKER WALLACE FOUNDATION 2510 Walker Lane Salt Lake City, Utah 84117	Adult	Devisee
19	WASATCH MASONIC LODGE #1 650 East South Temple Salt Lake City, Utah 84102		Devisee
21	THE MOST VENERABLE ORDER OF THE HOSPITAL OF ST. JOHN OF JERUSALEM Attention: Reverend Cannon N. West, Secretary Cathedral House 1047 Amsterdam New York, New York 10025		Devisee
25	FIRST INTERSTATE BANK OF UTAH, N.A. P. O. Box 30169 Salt Lake City, Utah 84142		Devisee
26			

1 BALLET WEST Devisee
2 C/O Stephen D. Swindle, Chairman
3 P. O. Box 45340
Salt Lake City, Utah 84105

4 WESTMINSTER COLLEGE OF SALT LAKE CITY Devisee
5 Attention: Bob Richard
1840 South 1300 East
Salt Lake City, Utah 84105

6 UNIVERSITY OF UTAH Devisee
7 Attention: Art Swindle, Chairman
Health Science Center
8 Development Office
50 North Medical Dr.
9 Salt Lake City, Utah 84132

10 UTAH MUSEUM OF FINE ARTS Devisee
11 University of Utah
AAC 101
Salt Lake City, Utah 84112

12 That the Executor, FIRST INTERSTATE BANK OF UTAH, N.A.,
13 has performed all duties and services required of them as
14 Executor of said Estate and although entitled to compensation has
15 declined to accept the same; that GARY D. FAIRMAN, a Professional
16 Corporation has rendered legal services to the Executor and to
17 the Estate and is entitled to compensation therefore and that
18 said Attorney has agreed with the Executor that a fee in the sum
19 of Seven Hundred Fifty Dollars (\$750.00) is reasonable and proper
20 subject to approval by the above-entitled Court; that said
21 Attorney has advanced the sum of Forty Eight Dollars (\$48.00) as
22 costs and expenses in connection with his representation of the
23 Executor of the Estate and he is entitled to reimbursed for the
24 costs so advanced.

25 That the Estate is now in a condition to be settled and
26 distributed pursuant to said First and Final Account, Petition

1 for Distribution and To Set Attorney's Fees, as filed by the
2 Executor;

3 From the foregoing, the Court makes its Order as
4 follows:

5 ORDER

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

9 IT IS HEREBY FURTHER ORDERED that said Estate,
10 consisting of the following property be distributed to FIRST
11 INTERSTATE BANK OF UTAH, N.A., as Trustee of the Testamentary
12 Trust created under the Last Will and Testament of JOHN M.
13 WALLACE, to-wit:

14 an undivided interest in three (3) patented mining
15 claims located in the Ely Mining District, Lincoln
16 County, State of Nevada, known as Parcel No. 9-011-38,
King, Gold Queen and Gold Prince.

17 TOTAL ESTIMATED VALUE: \$1,500.00

18 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that
19 FIRST INTERSTATE BANK OF UTAH, N.A., Executor pay the following
20 expenses:

21 Attorney's fees to GARY D. FAIRMAN, a Professional
22 Corporation, in and for services rendered in the sum of Seven
23 Hundred Fifty Dollars (\$750.00), together with costs advanced in
24 the sum of Forty Eight Dollars (\$48.00);

25 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that
26 at such time as said Executor has made all proper transactions in

1 accordance with this Order, and has paid all expenses pursuant to
2 this Order, that Petitioner be discharged from its trust.
3 DONE AND DATED this 20th day of April,
4 1991.

5
6 15/ Marilyn H. Hays
7 DISTRICT JUDGE

8 Submitted by:
9 GARY D. FAIRMAN
A Professional Corporation
10 P. O. Box 5
Ely, Nevada 89301

11 [Signature]
12 GARY D. FAIRMAN, ESQ.
13 Attorney for Petitioner

14
15
16 This document to which this certificate is attached is a full, true and correct
copy of the original, on file and of record in the County Clerks Office, Pioche,
Nevada.

17 In witness whereof, I have hereunto set my hand and affixed the Seal of the
Seventh Judicial District Court, County of Lincoln, State of
18 Nevada, this 20th day of April 1991.

19 [Signature]
20 Clerk

21 Deputy Clerk

22
23
24
25
26

096512
No. 096512
RECORDED
Gary Fairman
April 22, 1991
45 10
A 96 OFF
REC 204 LINCOLN
COUNTY, NEVADA
YURIKO SETZER
COUNTY REC'D

By [Signature] Deputy