

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

3 * * * 21 APR-22 AID: 37

4 In the Matter of the Estate)
5 of)
6 OTELIA ELLA HENRIE,) DEPUTY
7 Deceased.) Probate No. 5-3-90 LP

8
9 ORDER SETTLING FIRST AND FINAL ACCOUNT,
10 SETTING FEES, AND FOR DISTRIBUTION OF
11 THE ESTATE

12 NEIL A. BRUNDY, Executor of the Estate of OTELIA ELLA
13 HENRIE, Deceased, having on the 8th day of APRIL, 1991,
14 rendered and filed herein a full account and Report of his
15 administration of said estate, which said account was for a final
16 settlement, and having with said Account filed a Petition for
17 Final Distribution of said estate, and for fees, and said Account
18 and Petition this day coming on regularly to be heard, and proof
19 having been made to the satisfaction of the Court that due notice
20 of the hearing of said Petition has been given as required by
21 law, the Court finds:

22 1. That said Account is in all respects true and correct,
23 and that there have been no objections to said Account; that
24 there is residue in the hands of the said Executor at the time of
25 filing said Account, as more fully appears in the First and Final
26 Account, and that there may be further costs necessary in the
27 closing of said estate.

28 2. That due and legal Notice to Creditors of said estate
has been given in the manner and for the time required by law,

1 and there are no claims, unpaid, against said estate.

2 3. That the Executor is chargeable as set forth in
 3 Inventory filed herein, i.e., a note payable to WILLIAM THOMAS
 4 HENRIE and deceased, one-half to each:

5 Unpaid balance of Note	\$82,580.45	
6 Total due deceased		\$ 41,290.22
7 Payable in Annual Payments of \$7,760.00		

8 4. That all claims and debts against said decedent and
 9 against said estate, all debts, expenses and charges of
 10 administration have been fully paid and discharged, and that
 11 there are no taxes due from the estate, and that said estate is
 12 ready for distribution and now in condition to be closed. That
 13 the Executor, NEIL A. BRUNDY, is entitled to credits as follows:

14 Caliente Pharmacy	\$ 109.01
15 Caliente Foodtown	208.06
16 Grover C. Dile Medical Center	<u>637.07</u>
17 Total	\$ 954.14

18 5. That JAMES L. WADSWORTH, ESQ., acting as Attorney for
 19 the Executor, is entitled to payment of attorney's fees earned in
 20 the amount of \$1,268.00, which is approximately Three Percent
 21 (3%) of the estate, and reimbursement of advanced costs, as shown
 22 in the accounting, in the amount of \$199.25, for a total of fees
 23 and costs in the amount of \$1,467.25; as per agreement with the
 24 heirs of the decedent and the Executor;

25 6. That pursuant to Nevada law, NEIL A. BUNDY, Executor
 26 of the Estate of the deceased, is entitled to Executor fees in
 27 the amount of \$1,400.00, rounded.

28 7. That under the terms of the Will of the decedent,

1 heirs of the deceased are to share, and share alike, and are
2 entitled to distribution of the estate. The share of each child
3 in the unpaid balance of the note, payable to WILLIAM THOMAS
4 HENRIE and the deceased, OTELIA ELLA HENRIE, before payment of
5 fees and costs, is \$8,258.04, and the share of the periodic
6 payment is \$776.00, and the estate should be distributed
7 accordingly, to the following:

- 8 DIXIE FAYE BRUNDY
- 9 HELEN VISTA BRUNDY
- 10 LAVERNE LOLA KENEMORE
- 11 EUGENE HOWARD COLLINS
- 12 HUGH DARRELL COLLINS

13 8. That from these findings, and on all of the facts and
14 records herein,

15 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

16 1. That the Final Account of said Executor, NEIL A.
17 BRUNDY, be, and the same hereby is, finally settled, allowed and
18 approved, and advanced costs to be reimbursed;

19 2. That the sum of \$1,268.00, on account of fees as
20 agreed upon between the said JAMES L. WADSWORTH, ESQ., and the
21 heirs-at-law, to JAMES L. WADSWORTH, ESQ., be, and is hereby
22 allowed, authorized and directed to be paid, together with costs
23 advanced in the amount of \$199.25, in costs and expenses; and

24 3. That the Executor be, and he hereby is, authorized to
25 pay any debts approved and allowing and remaining unpaid; that he
26 is entitled to credits as follows:

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Caliente Pharmacy	\$ 109.01
Caliente Foodtown	208.06
Grover C. Dile Med. Ctr.	<u>637.07</u>
Total	\$ 954.14

4. That the Executor be, and he hereby is, authorized to receive the sum of \$1,400.00, rounded, unless waived at time of hearing on this Petition;

5. That the remainder of the estate be awarded to the five children of deceased named herein, share and share alike:

- DIXIE FAYE BRUNDY
- HELEN VISTA BRUNDY
- LAVERNE LOLA KENEMORE
- EUGENE HOWARD COLLINS
- HUGH DARRELL COLLINS

The share of each child in the unpaid balance of the note, before payment of fees and costs, is \$8,258.04, and the share of the periodic payment is \$776.00. The estate should be distributed accordingly.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the Executor filing his Receipts for the distribution of the estate, as ordered herein, he may request to the Court a final discharge and exoneration of his responsibility.

DATED this 12 day of April, 1991.

Merlyn H. Hoyt
DISTRICT JUDGE

SUBMITTED BY
James L. Wadsworth
JAMES L. WADSWORTH, ESQ.
P. O. Box 60
Pioche, Nevada 89043
Attorney for Estate

NO. 096521
FILED AND RECORDED AT REQUEST OF
James L. Wadsworth
April 23, 1991
AT 50 MINUTES PAST 9 O'CLOCK
LINCOLN COUNTY NEVADA RECORDS
Merlyn H. Hoyt
COUNTY CLERK

COPY

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.

In witness whereof, I have hereunto set my hand and affixed the Seal of the Seventh Judicial District Court in and for the County of Lincoln, State of Nevada, this 23rd day of April 1991.

Cornie Hogan
Clerk

Deputy Clerk