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Official Record
Recording requested By
COICOECHEA DIGRAZIA COYLE & STANTON

Lincoln County - NV Leslie Boucher - Recorder

Book- 251 Page- 0561



APN: 010-030-08, 010-030-11, 010-030-14, 010-030-15 010-200-07, 006-151-01 010-020-02

Recording Requested By and Return To:

Goicoechea, Di Grazia, Coyle & Stanton, Ltd. 530 Idaho Street Elko, NV 89801

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

Order Settling First and Final Accounting, Approval of Attorney Fees and Decree of Distribution and Confirmation of Appointment of Trustee



CASE NO. PR 1020008

L BELL IN

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

In the Matter of the Estate of

ROBERT DIRK AGEE, aka R. DIRK AGEE, aka DIRK AGEE.

Deceased.

ORDER SETTLING FIRST AND FINAL ACCOUNTING, APPROVAL OF ATTORNEY FEES AND DECREE OF DISTRIBUTION AND CONFIRMATION OF APPOINTMENT OF TRUSTEE

MARTA SANDFORD AGEE, the Executor of the above-entitled Estate, having on September 11, 2009, rendered and filed herein a full accounting of the administration of said estate, which accounting was for final settlement, and having with said accounting filed a petition for distribution of Estate and Confirmation of Appointment of Trustee, and made application for approval of attorney fees; said accounting, application and petitions having come on regularly to be heard on October 23, 2009, at 11:00 a.m.; and proof having been made to the satisfaction of the Court that notice of the settlement of said accounting and of the hearing of the application and petitions have been given in the manner and for the time required by law, as more fully appears by the Affidavit of Mailing by mail on file herein, the Court hereby finds:

1. That due and legal notice of the hearing of said accounting, application and petitions have been given to all persons interested in said Estate.

- 2. That said accounting is in all respects true and correct.
- 3. That due and legal Notice to Creditors of said Estate has been given in the manner and for the time required by law; that the time for filing of Creditor's Claims has expired. Two creditor's claims were filed against the Estate by Zion's First National Bank. However, both of the claims have been released.
- 4. That ROBERT DIRK AGEE died on August 6, 2008; was a resident of the State of Nevada at the time of his death; left real and personal property in Lincoln County and Washoe County, Nevada, which was community property; and died testate.
- 5. That Petitioner was named Executor on December 12, 2008, and was issued Letters Testamentary on January 2, 2009, and now is and ever since that date has been the duly appointed, qualified and acting Executor of said Estate.
- 6. That the Petitioner has made and returned to this Court a true Inventory and Record of Value of all of the Estate located in Lincoln County and Washoe County, Nevada of the Decedent subject to probate which has come to her knowledge and possession.
- 7. The names, relationship, ages and residences of the heirs, devisees and legatees of the Decedent are:

<u>Name</u>	<u>Address</u>	<u>Age</u>	Relationship
Marta Sanford Agee	Sand Springs Ranch HC 61, Box 50 Alamo, NV 89001	Adult	Surviving Spouse and as Trustee of the Testamentary Trust in Last Will and Testament

Remainder beneficiaries of the Testamentary Trust:

<u>Name</u>	<u>Address</u>	<u>Age</u>	<u>Relationship</u>
Sabrina Lee Watt	Balmoral Victoria 3407 Australia	Adult	Daughter
Jace Patrick Agee	525 Ashcroft Drive Spring Creek, NV 89815	Adult	Son

				_	
1	Travis Sanford Agee	HC 61, Box 67 Alamo, NV 89001	Adult	Son	
2					
3	Contingent heirs of the D	ecedent:			
4	<u>Name</u>	<u>Address</u>	<u>Age</u>	Relationship	
5	Tyler Wayne Agee (Son of Jace)	525 Ashcroft Drive Spring Creek, NV 89815	dob 3/15/92	grandson	
7	Jacob Patrick Agee (Son of Jace)	525 Ashcroft Drive Spring Creek, NV 89815	dob 10/7/93	grandson	
8	Janet Katherine Watt (Daughter of Sabrina)	(Woodbine) Balmoral Victoria 3407 Australia	dob 2/6/95	granddaughter	
10	Katelyn Agee (Daughter of Jace)	525 Ashcroft Drive Spring Creek, NV 89815	dob 4/2/98	granddaughter	
11 12	Marcus Alexander Watt (Son of Sabrina)	(Woodbine) Balmoral Victoria 3407 Australia	dob 9/12/98	grandson	
13		Australia	\checkmark /		
14	8. MARTA SAI	NFORD AGEE, the Petitio	ner, the part	y named to serve as	
15	Trustee of the Testament	tary Trust set forth in the L	ast Will and	Testament, shall act	
16	as such.			> -	
17	9. The propert	y within the jurisdiction o	f this Court r	now under the care,	
18	management and contro	ol of the Executor which	was the ½ o	community property	
19	interest of the Decedent	and subject to distribution	n is as follow	s:	
20		\ //			
21	SCHEDULE			<u>VALUE</u>	
22	(Agricultural Equipment) owned by Dirk and Marta Agee				
_ \	l l		F !	\$83,275.00	
24 25	B. Travis's Agee's Valu Transportation, Agri and Cattle Equipme	ue of Equipment (Truck, 1 icultural, Construction, Ma nt) owned by Dirk and Ma ,875.00 ½ total value =	rallers, ajor Shop arta Agee		
26		r		\$189,437.50	
27	C. Max F. Hartle's Appraisal of BLM Grazing AUM's owned by Tempiute Grazing Association, LLC (100% owned by				
28	Dirk and Marta Age Total Value is \$1,48	e) 80,780.00 ½ total value =	. ~	\$740,390.00	
	·			3	
				1	

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1 2	D. Lee B. Smith's Appraisal of Farm Real Property in Lincoln County owned by Dirk and Marta Agee Total Value is \$900,000.00 ½ total value = \$450,000.00
3	E. Werner L. Ott's Appraisal of Real Property in
4	2300 Shadow Lane, Sparks, Nevada
5	Washoe County owned by Dirk and Marta Agee 2300 Shadow Lane, Sparks, Nevada Total Value is \$695,000.00 ½ total value = \$347,500.00 2200 Shadow Lane, Sparks, Nevada Total Value is \$224,000.00 ½ total value = \$112,000.00
6	F. Marta Agee's Value of Household Items
7	Total Value is \$87,703.00 ½ total value = \$43,851.50 (A copy is attached as Exhibit A)
8 9	G. Verified Record of Value and Accounting of all money which \$0.00 has come into the possession of the Executor
10	TOTAL VALUE OF DECEDENT'S ESTATE \$1,966,454.00
11	10. Pursuant to the terms of the Last Will and Testament and Codicil of the
12	Decedent, the property of the Decedent shall be distributed as follows:
13	To Marta Sanford Agee: All household items listed in Exhibit A.
14 15	2. To Marta Sanford Agee as Trustee of the Tax Credit Shelter Trust the following: All real and personal property described on the above Schedule as A, B, C, D and E (Exhibit B).
16	
17	11. That Petitioner MARTA SANDFORD AGEE has performed services for
18	the Estate as Executor for which she is entitled to a statutory fee as follows:
19	The statutory fee is:
20	\$ 15,000,00 x 4% = \$ 600.00 \$ 85,000.00 x 3% = \$ 2,550.00 \$1,866,454.00 x 2% = \$37,329.08
21	TOTAL \$40,179.08
22	MARTA SANFORD AGEE waives to the commission.
23	12. That the law firm of Goicoechea, Di Grazia, Coyle & Stanton, Ltd.,
24	Attorneys at Law, Elko, Nevada, have performed services for the Estate acting as
25	attorneys for the Executor of the Estate and have performed services on behalf of
26	the Estate including, but not limited to, the services set forth in the Petition filed
27	herein; the Executor and the attorneys have agreed that the total sum of \$15,699.50

is a reasonable fee for services rendered and to be rendered by the attorneys.

- 13. That the law firm of Goicoechea, Di Grazia, Coyle & Stanton, Ltd., Attorneys at Law, Elko, Nevada, has incurred certain costs in the sum of \$618.50 to date, and estimate an additional sum not in excess of \$400.00 will be expended in closing the Estate for which they are entitled to be reimbursed.
- 14. That the Federal and Nevada Estate Tax returns will be filed prior to discharge of the Executor.
- 15. That the 2008 personal income tax return for the Decedent will be filed prior to discharge of the Executor.
- 16. That the Fiduciary Tax Return will be filed prior to discharge of the Executor.
- 17. That all claims against said Decedent and against the Estate have been paid in full; that all expenses and charges of administration except as hereinabove specifically set out have been paid in full; that expenses of last illness and funeral expenses have been paid in full; and, that said Estate is ready for distribution and is not in a condition to be closed.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- 1. That due and legal notice of the hearing of this First and Final Accounting, Application for Approval of Attorney Fees, Petition for Distribution and Petition for Confirmation of Appointment of Trustee has been given to all persons interested in said Estate as required by law.
- 2. That Notice to Creditors has been given to all persons interested in said Estate as required by law; the time for preparation of Creditor's Claims has expired; two creditor's claims were filed against the Estate by Zion's First National Bank; however, both of the claims have been released.
- 3. That the First and Final Accounting be, and the same is hereby approved, allowed and settled.

- 4. That the Executor is ordered to pay from the funds of the Estate the following amounts for the purposes stated, which amounts are determined to be reasonable:
 - To Goicoechea, Di Grazia, Coyle & Stanton, Ltd., the sum of \$15,699.50 for services rendered and to be rendered.
 - To Goicoechea, Di Grazia, Coyle & Stanton, Ltd., the sum of \$618.50 to reimburse said attorneys for costs advanced.
 - c. Necessary costs of closing in an amount not to exceed \$400.00.
- 5. That the sum of \$40,179.08 as the statutory fee due the Executor is ordered waived.
- 6. That all household items set forth on Exhibit A are distributed to MARTA SANFORD AGEE.
- 7. That the rest, residue and remainder of said estate set forth on Exhibit B, is ordered distributed to MARTA SANFORD AGEE, as Trustee of the Testamentary Tax Credit Shelter Trust established by the Last Will and Testament of ROBERT DIRK AGEE.
- 8. That after payment of all administrative fees and fees for the CPA said Estate be brought to a close and that the Executor be discharged upon producing and filing the necessary vouchers and proof showing that she has complied with the Order of the Court.
- 9. That Petitioner be confirmed as Trustee of the Testamentary Trust of the Last Will and Testament of ROBERT DIRK AGEE, to serve without bond.

DONE IN OPEN COURT this 29th day of October, 2009.

Styr L. Dobrescu
District Judge

DECEDENTS 1/2 COMMUNITY PROPERTY INTEREST IN ALL HOUSEHOLD FURNITURE, FURNISHINGS, HOUSEHOLD AND PERSONAL ITEMS IN THE FOLLOWING SIX DWELLINGS

1. SHADOW RANCH MAIN HOME:

KITCHEN
TV ROOM
GALLERIA
LIVING ROOM
BEDROOM
BEDROOMS 2,3,4
LINENS
GARAGE
GARDEN SHED
METAL SHOP

2. SHADOW RANCH RENTAL COTTAGE:

APPLIANCES

3. MAIN HOME AT SAND SPRINGS RANCH:

LIVING ROOM DINING LIV. ROOM MORNING ROOM KITCHEN OFFICE 2 GUEST ROOMS MASTER BEDROOM

4. SOUTH HOUSE AT SAND SPRINGS RANCH:

1 APPLIANCE

5. NORTH BUNKHOUSE AT SAND SPRINGS RANCH:

FURNISHINGS

6. SOUTH BUNK HOUSE AT SAND SPRINGS RANCH:

FURNISHINGS



AGEE ESTATE ASSETS

REAL PROPERTY

1. Real Property in Lincoln County:

A. APN: 010-030-08

Township 3 South, Range 55 East, M.D.M.

Section 33: SE1/4

TOGETHER WITH all buildings and improvements situate thereon.

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

B. APN: 010-030-11, 010-030-14, 010-030-15 Township 3 South, Range 55 East, M.D.M. Section 34: NW1/4: SW1/4

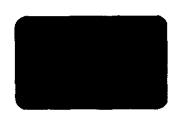
TOGETHER WITH all buildings and improvements situate thereon.

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

C. APN: 010-200-07 Township 4 South, Range 55 East, M.D.M. Section 2: Lots 1, 2 and 3, SW1/4NE1/4

TOGETHER WITH all buildings and improvements situate thereon.

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



D. APN: 006-151-01

Township 1 North, Range 55 East, M.D.M.

Section 5: Lot 2

TOGETHER WITH all buildings and improvements situate thereon.

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

E. APN: 010-020-02

Township 2 South, Range 55 East, M.D.M.

Section 26: SE1/4SE1/4

TOGETHER WITH all buildings and improvements situate thereon.

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

2. Real Property in Washoe County (Sparks):

A. APN: 030-701-03 (2300 Shadow Lane)

Lot 20, Block A of Shadow Lane Subdivision, according to the map thereof, filed in the office of the County Recorder of Washoe County, Nevada, as File Number 3921.

TOGETHER WITH all buildings and improvements situate thereon.

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

B. APN: 030-701-01 (2200 Shadow Lane)

Lot 21, Block A of Shadow Lane Subdivision, according to the map thereof, filed in the office of the County Recorder of Washoe County, Nevada, as File Number 3921.

TOGETHER WITH all buildings and improvements situate thereon.

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

WATER RIGHTS

The following water permits for water issued by the Nevada State Engineer:

Permit No.	Certificate No.
10974	2877
11332	2949
11335	2951
11694	3441
1433	105 - abrogated 54894
23216	6890
23217	6891
23218	6922
23219	6892
23223	6895
23224	6896
23225	6897
23226	6898
23227	6899
23228	6901
23229	6902
23230	6903
23232	6904
23233	6900
24420	8037
54894	14636
V01524	
11001	0070
11334	2950
12542	3217
23221	6893
23222	6894
45902	13328
58421	14832
58422	14833
58423	14834
58424	14741
58425	14742
30385	10785
45085	12236
49217	12241
	/

TEMPIUTE GRAZING ASSOCIATION, LLC

Any and all right, title and ownership interest Robert Dirk Agee had in Tempiute Grazing Association, LLC.

All BLM Grazing Permits for the following:

- a. Sand Springs
- b. Shadow Wells

SAND SPRINGS RANCH EQUIPMENT LIST (Agricultural Equipment)

Agricultural Equipment	Serial Number
Hesston 8550 Swather (bought 5-27-99 @ \$67,320 minus 34,000 trade in on Hesston 8400 annual payments (5) of \$7895 Overson's with: Hesston 8070 rotoheader	855000167 807000156
Hesston (Agco) baler (\$78,400 = 5 payments @ \$11,782.48; traded in Hesston 4900 baler \$30,000 bought 7-09-02 Oversons's	HL91537
Hesston 4900 baler (from neighbor Terry Justin) bought 6-04-2004 (about 17,000 bales of use) paid cash, \$35,000; no trade in	BB4902902 and BA490929 (??)
IH 5288 2 WD tractor; used \$12,356; 6-03-03 3 payments @ \$3,633.48	32090
Phares and Wilkins disc (12 feet at \$300.00 per foot of width)	000593
Sanderum spring tooth harrow 5280	14399
IH grain drill 620	
Brillion drill 12 ft; 3 part (May 1989) ½ w/ Joe Fallini	
John Deer disc type 235 folding disc (5-12-99) \$3,500 (Idaho Equipment KM 1)	016480A
Howard rototiller M30	9241470
4870 big bale feeder 125 c.u.	
Allen Basket rake	
Eversman 2400Land plane with duck feet (6-1993) c/c5927; \$4500 + ST 340.75 = \$4848	1153
1991 ingram Roller	454111FAS or FA5
Field sprayer 3 point hitch type 40 foot boom; home made	
White Tractor model 255-24197	297631-418

Massey Ferguson 1135 tractor (new; 12-18-76) Cash price \$23,946 minus trade in MF 1085 (- \$12,147) = \$14,634 due @12%; 3 payments: 3/78: 5,350.24; 3/79: 4,878.16; 3/80: 4,406.08	
Massey Ferguson 135 used; 4-28-80 \$4,250	\\
Case 4690 4-wheel; rebuilt engine in 1997	08863110
Verminator bait dispenser	
Case EZ 612 4 GPS (\$1995 on 8-07-07)	87301247



SAND SPRING RANCH EQUIPMENT LIST (Truck, Trailers, Transportation, Agricultural, Construction, Major Shop and Cattle Equipment)

Trucks, Trailers, Transportation	Serial Number
American Cattle Pot	\ \
1972 Kenworth	1622775
Water truck	
Ford dump truck	
40 foot trailer	
2006 Polaris Ranger 500 Fuel Injected	
2006 Polaris ATV 450	
1991 Dodge Diesel 3/4 ton pickup	1B7KF236XXJS81532
1979 Ford F250 flatbed pickup	F26BLFC644
1985 Ford F250 diesel pickup	1FTHF2618FKB28061
1985 Ford F250 diesel pickup	1HHF2615FP71806
1991 Ford F-150 pickup	2FTEF14N8MCB01320
1992 C/50 Chevy Cheyenne	CCE532V141764
King 600 Gooseneck Trailer	
1958 Kenworth W900 (Oct. 19, 1958)	70262
2 - 1969 IH Fleetstar 2050 dump trucks Model F2050A	7579516484747
1962 Big Job dump truck	
2 40 foot truck vans (1972)	
King gooseneck trailer; floor redone	

Agricultural Equipment	Serial Number
Murphy Scales	
Fuel storage and pumps: gas, diesel #1; diesel #2 plus 3 electric pumps	
Spreadomatic fertilizer spreader 395L	\ \
Kingcutter 38 tine 3 rd link rock rack	~ \ \
Hartman Wheel rake	

Construction Equipment	Serial Number
Airplaco 548 Gunite machine	
John Deere scraper; JD760 paddle wheel; 2511 hours	T373R 015146R
GMC Brigadier 9 ton boom truck	IGDM9C1W6EV54 0308
Case 680 backhoe with 2 buckets	
Melroe Bobcat skidsteer 731 (replaced engine: Wisconsin)	5006-M-11067
3 rd link backhoe Super Long 1199B 2 buckets	2171
2 post hole diggers	
Ingersol Rand pull type compressor	
Aluminum 5,000 gallon water haul truck	
Condor 70 foot man lift/cherry picker	
Fiat Allis 21C dozer	71A 21969
Cat D6B dozer 163 hydraulic (April 1971) \$8500 @ 6% financing cash down \$5000	44A 5235
Grader: Cat	9KN3S6

Major Shop Equipment	Serial Number
Compressors: Speedair 2 HP 2 stage Campbell Hausfield SHP 2 stage Electromagnetic Grime Fighter steam cleaner	11093L-929376
Kaarcher 2550 power washer	\ \
20 binders	
30 chains	
Rigid Shop Vac	
Die Hard 275 amp battery charger	
Die Hard 100 amp battery charger	
Sears 8 amp battery charger	
Pon-Con Stick or wire welder	/ /
Wilton band saw	V /
Lincoln acr welder 225 amp	
Plasma cutter Power Max 1000	
4 torch sets	
Scotchman Iron Worker 5 horse	
Tire changer – Coats/inflates	
Max 42 Plasma cutter	
3 chain saws: Husqvarna w/30" blade, Stihl w/12" blade, Craftsman 12" bar	
Miller 250 wire feed welder	
Davy Twin impella pump	
2 Dewalt chop saws	
3 cordless battery drills: 2 Dewalt; 1 Skill	
200,000 BTU shop heater	
2 creepers	

3 bench grinders: Craftsman ½ HP, Central Machines ½ HP, Columbia Model 7320	397.1951
Parts washer	
Rigid Electric air hammer	\ \
¾ drive air hammer	\ \
4 bottle jacks	\sim
1 4-ton floor jack	
¾ torque wrench	
1/2 Craftsman torque wrench	
½ Pittsburgh (?) torque wrench	
Dial indicator	
Drill bits	/ /
Shear	1123C683K
Band clamper 1"	
6 gear pullers	
2 heavy duty srills	
1 medium grinder	
2 Skill saws	
5 4" to 8" levels	
2 Rigid 48" pipe wrenches	
3 full sets of wrenches and screwdrivers	
3 ½" impact drives	
Needles gun	
Pneumatic gasket scraper	
1 3/8" drive impact	
Crafstman C-clamps	
10 vise grips	_

Craftsman 3/4 " socket set	
Extension cords	
4 pinch bars	
Crescent wrenches	\ \
Pavement breaker 90 pounds	
2 jackhammers	
20 hammers (?)	
6 chipping hammers	
2 auto darkening helmets	
3 stand (?) welding helmets	
electric chainsaw	
300 pounds welding rod	
4 prop lights	
Air tire grinder	
Air chisel	
Pneumatic grease gun	
Portable car jump starter	
Slide hammer	
Sockets etc, etc.	
600 new belts	
1,000 Hydraulic Hoses	
5 - 110 volt "chemfee" pivot injectors	
"440" chemigator injector	
2 Sawzalis	
3 jack stands	
set of tile chalks	
Drill Press, central machinery model C117	

	<u></u>	
Honda pump		
4 inch pump		
3 bench vises		
10 stacks of metal pallets	_\	
1,500 powder cans		
1 propane torch		
1 large chain wrench	7	
1 medium chain wrench		
1 small chain wrench		
1 barrel pump – air	/ /	1
1 overhead winch		
1 hydraulic body/frame jack	//	
1 – 12 volt to 110 power connector		
filters: air, oil		
1 stand light		
1 electric winch		
4 sets jumper cables		
7 generators on trailers		
1 portable generator 2500 watts		
1 lo0boy portable air compressor		
4 hacksaws		
3 – Hypro model 7560C PTO driven roller pumps		
Chilton books and tractors service manuals		
2 – multi-meters		- ·
1 Well sounder		
4 pitch forks		

10 shovels flat head and round nose	
3 pickaxes	\wedge
Napa oil can	
5 jerry jugs	\ \
5 axes	\ \
steel racks by shop, home built	
3 pieces of used tire chalk, 1 whole piece of chalk new	
Remington Power hammer	
Soldering kit	
4 grease guns	
1 micrometer	/ /
7 partial rolls of electrical wire, varying gauges	/ /
1 – 150 foot tape measure	
1 -200 foot tape measure	
4 pairs wire strippers	
transit levels and story poles	<u> </u>
tire changing bars	
1 set of cordless tools, new saw, drill ,light	
6 fire extinguishers	
1 AC Voltammeter	
Air conditioner-heater unit	
unused metal shop	
3 – shop doors	
170 ton scrap iron, dealer gave \$150/ton value	
Antique Tractor	
2 – drill presses	

Cattle Equipment	Serial Number
Hydraulic chute	
1966 open horse trailer bumper type	
1981 King 16 foot gooseneck stock trailer	11915
Portable corral panels (12-1989) lease to own; 36 payments of \$182.27 + residual payment of \$532.50	
Corral gates (11-14-91) 17- 14X60 classic gate (\$2,572.10)	

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

In witness who Seventh Aud Nevada	reof, I have he icial District (ourt in and	ny hand and a for the Coun November	offixed the Seri ty of Lincoln, S 20 <u>09</u>	of the late of
		Clerk			
	De	puty Clark			