

Official Record

Recording requested By  
LURA D. BESHEARS

Lincoln County - NV  
Leslie Boucher - Recorder

Fee: \$45.00 Page 1 of 7  
RPTT: Recorded By: DP  
Book- 265 Page- 0192



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LAST WILL AND TESTAMENT

Title of Document

Affirmation Statement

LB I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does not contain** the social security number, driver's license or identification card number, or any "Personal Information" (as defined by NRS 603A.040) of any person or persons. (Per NRS 239B.030)

\_\_\_\_\_ I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does contain** the social security number, driver's license or identification card number, or any "Personal Information" (as defined by NRS 603A.040) of a person or persons as required by law: \_\_\_\_\_

(State specific law)

Lura D. Beshears  
Signature Title

LURA D. BESHEARS  
Print

8-4-11  
Date

Grantees address and mail tax statement:

P.O. Box 612  
CALIENTE NV 89008  
775-726-3902



# *Last Will and Testament*

OF

**LURA D. BESHEARS**

I, LURA D. BESHEARS, domiciled in and a resident of Lincoln County, Nevada, declare this to be my Will, and I revoke all other Wills made by me.

I.

**DEBTS, FUNERAL EXPENSES AND BURIAL INSTRUCTIONS.** I direct that all debts, which may be legally due and owing at the time of my death, excepting those properly secured and those under installment contracts not yet due and payable, and all expenses of my last illness and burial, and all costs and expenses in connection with the administration and distribution of my Estate, be paid before any distribution after my death. I do hereby designate my Executor to order the burial of my human remains upon my death.

II.

**MY HEIRS.** I am not married and I have no children.

III.

**HOUSEHOLD AND PERSONAL EFFECTS.** I hereby direct that my Executor follow any written statement or list which I may leave disposing of certain items of my tangible personal and household property not otherwise disposed of herein. Any such statement or list in existence at the time of my death shall be determinative with respect to all bequests made therein. If no written statement or list is found and properly identified by my Executor within ninety (90) days after my Executor's qualification, it shall be presumed that there is no such statement or list and any subsequently discovered statement or list shall be ignored.

I give and bequeath all of my remaining knitting and sewing projects and materials, with the exception of my sewing machines and knitting machines, to the CALIENTE KNITTING CLUB. My sewing machines and knitting machines shall be distributed as set forth immediately below.



I give and bequeath all of my remaining tangible personal and household effects that are not previously distributed as set forth above in this Article III, including, but not limited to, furniture, furnishings, rugs, pictures, books, silver plate, linen, china, glassware, objects of art, wearing apparel, jewelry, and ornaments, to FABIOLA PAVAL, if she survives me by a period of ninety (90) days, as she shall select. If she does not survive me by a period of ninety (90) days, my remaining household and personal effects shall be distributed to MARY JEAN LUCHT, if she survives me by a period of ninety (90) days, as she shall select. Any remaining tangible items that are not distributed as set forth above shall be added to my Residuary Estate.

**IV.**

**DISTRIBUTION OF ESTATE.** All of the rest of my Estate wheresoever located, I give, devise and bequeath as follows:

- A. The vehicle owned by me at the time of my death shall be distributed to DENNIS D. CARSON, if he survives me by a period of ninety (90) days, subject to any loan balances thereon. If DENNIS D. CARSON does not survive me by a period of ninety (90) days, my vehicle shall become a part of my residuary Estate, to be distributed as set forth in Section C. of this Article IV.
- B. MARY JEAN LUCHT, if she survives me by a period of ninety (90) days, shall receive the real property located in Lincoln County, Nevada, Parcel Number 13-020-15, known as Lot 54 of Highland Knolls Subdivision. If MARY JEAN LUCHT does not survive me by a period of ninety (90) days, this real property shall become a part of my residuary Estate, to be distributed as set forth in Section C. of this Article IV.
- C. FABIOLA PAVAL, if she survives me by a period of ninety (90) days, shall receive my entire remaining Estate, wheresoever located, that shall include, but not be limited to, any lapsed bequests from above, my bank accounts and the real property located in Lincoln County, Nevada, known as Lot 43 of Highland Knolls Subdivision. If FABIOLA PAVAL does not survive me by a period of ninety (90) days, my remaining Estate, wheresoever located, shall be distributed to MARY JEAN LUCHT, if she survives me by a period of ninety (90) days. If MARY JEAN LUCHT does not survive me by a period of ninety (90) days, my remaining Estate, wheresoever located, shall be distributed to my heirs at law, their identities and shares to be determined according to the laws for intestate successor of separate property in the State of Nevada.

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V.

**PROVISIONS FOR OTHERS.** Except as otherwise provided herein, I have intentionally and with full knowledge omitted to provide for my heirs, including any person or persons who may hereafter become my heir or heirs.

VI.

**NO CONTEST CLAUSE.** If any beneficiary under this Will, in any manner, directly or indirectly, contests or attacks this Will or any of its provisions, any share or interest in my Estate given to that contesting beneficiary under this Will is revoked and shall be disposed of in the same manner provided herein as if that contesting beneficiary had predeceased me.

VII.

**APPOINTMENT OF EXECUTOR.** I name MARY JEAN LUCHT to serve as Executor of my Will. If she were to become deceased, unable or unwilling to serve as Executor of my Will, TONI SUTTON shall serve as Successor Executor of my Will. I wish both Executors hereunder to serve without bond or other security being required of them.

VIII.

**SPECIAL INSTRUCTIONS AND POWERS OF MY EXECUTOR.** Except as otherwise specifically provided, my Executor shall have all powers now or hereafter conferred by applicable State law, and also all powers appropriate to the orderly and effective administration of the Estate. In addition, the Executor shall have the following powers and discretion, in each case to be exercisable without Court order:

- A. To sell (for cash or on credit), exchange, purchase and retain assets, to improve, alter, lease (even extending beyond the period of administration), partition and otherwise deal with and manage property, and to invest and reinvest in preferred or common stock, bonds, mortgages, investment company shares, money market and mutual (including index) funds, common trust funds maintained by the fiduciary, and any other property, real or personal, foreign or domestic.

*[Handwritten Signature]*  
TESTATOR'S INITIALS



- B. To receive additional property from any source, and to acquire or hold properties jointly or in undivided interests with other persons or entities, including beneficiaries of this Will and the Estates of and Trusts established by any of these beneficiaries; and properties may be purchased from, sold to or exchanged with, and funds may be borrowed from or loaned to, any such beneficiaries, Trusts and Estates on fair and equitable terms appropriate to the Executor's fiduciary responsibilities.
- C. To enter, continue or participate in the operation of any business or other enterprise, including as a sole proprietor, as a general or limited partner or as a shareholder, and to incorporate, liquidate, reorganize or otherwise change the form or terminate the operation of the business or enterprise, and to contribute capital or loan money to the business or enterprise.
- D. To acquire, exercise, grant or dispose of options, puts, calls, privileges or rights with respect to securities and other property including but not limited to rights to vote, grant proxies, subscribe, convert or assent to or participate in compromises, releases, renewals or extensions, modifications, reorganizations, recapitalization, consolidations, liquidations and the like, and to abandon or otherwise deal with any property or interests in any manner deemed to be in the best interests of the Estate.
- E. To borrow funds, guarantee or indemnify in the name of the Estate and to secure any such obligation by mortgage pledge or other encumbrance or security interest, including for a term extending beyond the period of administration, and to renew, extend or modify any such obligation; such obligations may be entered into without personal liability of the Executor and lenders shall have no duty to see to the application of the proceeds.
- F. To enter into a lease, pooling or other arrangement for exploration, conservation, development, and removal of minerals and other natural resources.
- G. To prosecute, defend, contest, or otherwise litigate legal actions or other proceedings for the protection or benefit of the Estate; to pay, compromise, release, adjust or submit to arbitration any debt, claim or controversy; and to insure the Estate against any risk, and the Executor against liability with respect to third persons.
- H. To employ and compensate (from the Estate) accountants, lawyers, investment and tax advisors, agents and others to aid or assist in the management, administration and protection of the Estate.



- I. To hold property in the name of a nominee, or unregistered or without disclosure of fiduciary capacity, or in a manner that will allow title to pass by delivery or will otherwise facilitate proper administration.
- J. To account for and allocate receipts or expenditures to income or principal and to establish reserves out of income, all as provided by law or in the fiduciary's reasonable discretion to the extent the law is unclear.
- K. To make divisions, allocations or distributions in cash or in kind, including in undivided interests, by prorate and non-prorate division, or in any combination of these ways (with no obligation to take account of the tax basis of the assets) in the discretion of the Executor.
- L. To disclaim any of my interest in my Estate or in any Trust established by me or for my benefit, in order to take full advantage of the potential preservation of all tax exemptions which are available to my Estate and to any Trust established by me or for my benefit.

**IX.**

**NOMINATION OF GUARDIAN.** If at any time it becomes necessary to appoint a guardian of my person, I hereby nominate my executor as such guardian. If for any reason it becomes necessary to appoint a substitute guardian, then I nominate the successor executor in this document as substitute guardian. My guardian shall serve in such capacity without bond, or, if a bond be required, I request that such bond be set as low as possible. I hereby revoke all prior guardianship nominations that I have made.

IN WITNESS WHEREOF, I have hereunto set my hand ~~May~~ <sup>Aug.</sup> 3, 2011.

  
LURA D. BESHEARS

Under penalty of perjury pursuant to the law of the State of Nevada, the undersigned, JERRI ELLIOTT and Edward W. Maloy II, declare that the following is true of their own knowledge: That they witnessed the execution of the foregoing Last Will and Testament of the Testator; that the Testator subscribed the Will and declared it to be her Last Will and Testament in their presence;

  
TESTATOR'S INITIALS



that they thereafter subscribed the Will as witnesses in the presence of the Testator and in the presence of each other and at the request of the Testator; and that the Testator at the time of the execution of her Will appeared to them to be of full age and of sound mind and memory.

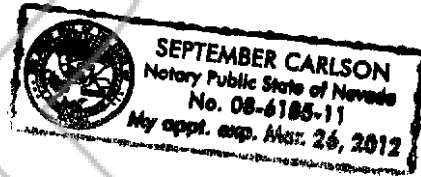
Dated this <sup>AUG.</sup> ~~May~~ 3, 2011.

*Laura Carlson*  
*Edmund Meloy*

State of Nevada  
County of Lincoln

This instrument was acknowledged before me  
on 3 day of August, 2011 by Laura D. Beshers

*[Signature]*  
Notary Public's Signature  
My Commission Expires March 26, 2012



*LDB*  
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