

080330

No. 1377

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FILED: June 20 - 75
EMMA F. GANDOLFO
Clerk

IN THE THIRD JUDICIAL DISTRICT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF LANDER

In the Matter of the Estate of
JOANNA F. ELQUIST, also known as
JOANNA ELQUIST, and
JOANNA FILIPPINI ELQUIST,
Deceased.

DECREE SETTLING FIRST AND FINAL ACCOUNT
AND PETITION FOR DISTRIBUTION

JAMES M. ELQUIST, Administrator of the Estate of
JOANNA F. ELQUIST, also known as JOANNA ELQUIST, and JOANNA
FILIPPINI ELQUIST, Deceased, having on the 9th day of June, 1975,
rendered and filed herein a full account and report of the adminis-
tration of said Estate, which said Account was for a final settle-
ment, and having with said Account filed a Petition for the final
distribution of said Estate, and hearing on the Account and Peti-
tion having been set for the 20th day of June, 1975, at 10:00 A.M.,
and having duly and regularly come on for hearing on said day, and
proof having been made to the satisfaction of the Court that due
and legal notice of said Account and the hearing of said Petition
for Distribution was given as required by law, and the Court being
fully advised as to the facts,

THE COURT HEREBY FINDS:

1. That the First and Final Account is in all respects
true and correct and that said Account is supported by proper
vouchers.
2. That due and legal Notice to Creditors of said

1 Estate has been given in the manner and for the time required by
2 law.

3 3. That a bond in the sum of \$10,000.00 was posted by
4 the Administrator.

5 4. That all claims of creditors filed in said Estate
6 have been approved and paid in full.

7 5. That all taxes of every name or nature required to
8 be paid by Decedent's Estate have been paid. That an Amended
9 Federal Estate Tax Return has been filed, but the same has not
10 been audited. That the sum of \$500.00 should be withheld from
11 distribution pending the audit of the amended return and payment
12 of any further tax due.

13 6. That the funeral expenses and costs of last illness
14 have been paid.

15 7. That the firm of WILSON and WILSON, LTD., Attorneys
16 for said Estate, has not been paid its fees for services to said
17 Estate, and a reasonable fee to be allowed and paid to said firm
18 is the sum of \$ 4690.00.

19 8. That the firm of WILSON and WILSON, LTD., as said
20 Attorneys, has advanced for said Estate the sum of \$301.30,
21 together with closing costs in the sum of \$40.00, and it is
22 entitled to be reimbursed therefor.

23 9. That JAMES M. ELQUIST waived payment of any sums as
24 statutory fees or commissions for his services as Administrator.

25 10. That MARLON S. FISHER was appointed as Appraiser
26 of said Estate and a reasonable fee to be allowed to him is the
27 sum of \$50.00.

28 11. That a reasonable fee to be allowed to DICK MEADE
29 for his accounting services to said Estate is the sum of \$125.00.

30 12. That JAMES M. ELQUIST is entitled to be reimbursed
31 the sum of \$1,043.64 for monies advanced on behalf of Decedent.

13. That part of the property of said Estate was the community property of Decedent and ALAN K. ELQUIST, deceased husband of Decedent, and part was the separate property of Decedent.

14. That the heirs at law and next of kin of Decedent are as follows:

NAME	AGE	RELATIONSHIP	ADDRESS
ALISON E. ELQUIST (born December 7, 1964)	Minor	Daughter	216 West 3rd Street Battle Mountain, Nevada 89820
JOSEPH A. ELQUIST (born October 25, 1965)	Minor	Son	216 West 3rd Street Battle Mountain, Nevada 89820
AMY L. ELQUIST (born January 2, 1967)	Minor	Daughter	216 West 3rd Street Battle Mountain, Nevada 89820
JAY M. ELQUIST (born November 11, 1968)	Minor	Son	216 West 3rd Street Battle Mountain, Nevada 89820
ANGELA M. ELQUIST (born February 13, 1970)	Minor	Daughter	216 West 3rd Street Battle Mountain, Nevada 89820

That said children have been in the physical custody of WILLIAM E. MARTIN and JOSEPHINE F. MARTIN, his wife, since the deaths of their parents, ALAN K. ELQUIST and JOANNA F. ELQUIST, on March 24, 1975. That Letters of Guardianship of the persons and estates of the above named minor children were issued to WILLIAM E. MARTIN and JOSEPHINE F. MARTIN on July 22, 1974, by Order of the above entitled Court.

That the above named minor children are entitled to distribution of all of the properties of said Estate, share and share alike, by distribution to the above named Guardians, after the payment of costs of administration and other costs as hereinabove set forth.

15. That the property comprising the Estate and available

1 for distribution and payment of costs of administration and other
 2 costs as hereinabove set forth, is the Decedent's one-half
 3 community interest in the following:

4 Monies on hand - \$32,168.26

5 Lots 1, 2 and 3, Block Q, of the Town of Battle Mountain,
 6 County of Lander, State of Nevada, as the same appear of
 record in the Lander County Recorder's Office.

7 TOGETHER WITH all improvements situate thereon.

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

11 TOGETHER WITH all personal property of Decedent on
 12 or about the above premises.

13 An undivided one-third equity interest in and to a parcel of
 14 land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, Township 32 North,
 Range 45 East, MDB&M, more particularly described as follows:

15 Commencing at the one-quarter corner between Sections 17
 16 and 18, Township 32 North, Range 45 East, MDB&M., thence
 S. 0°05'24" E., along the East section line of said Section 18
 17 a distance of 1,203.25 feet, a point on the southwesterly line
 of Second Street as shown on the plat of the Town of Battle
 18 Mountain filed in the Office of the County Recorder of Lander
 County, Nevada;
 19 thence N. 44°01'30" W., along the southerly line of Second
 Street, extended a distance of 496.88 feet;
 20 thence N. 45°58'30" E., a distance of 70.00 feet to Corner
 No. 1, the point of beginning; said point being on the
 21 northeasterly line of a 60 foot road and also on the north-
 westerly line of an 80 foot road as shown on the Record of
 22 Survey for Duval Corporation and Rene Lemaire of the S $\frac{1}{4}$ of
 Section 18, Township 32 North, Range 45 East, MDB&M., filed
 23 in the Office of the County Recorder of Lander County, Nevada, on
 November 23, 1966 as Document No. 45555;
 24 thence N. 45°58'30" E., a distance of 75 feet to Corner No. 2,
 being identical to Corner No. 1 of that parcel conveyed to
 25 Leon Belaustegui, et ux, by Deed recorded October 19, 1970
 in Book 101, Official Records, page 92, Lander County, Nevada;
 26 thence N. 44°15'00" W., a distance of 300.00 feet to Corner No. 3,
 being identical to Corner No. 4 of that parcel conveyed to
 Leon Belaustegui, et ux, by Deed described above; thence
 27 N. 45°58'30" E., a distance of 200 feet to Corner No. 4, being
 identical to Corner No. 3 of that parcel conveyed to Leon
 28 Belaustegui, et ux, by Deed described above and being a point
 on the southwesterly right of way line of U. S. Highway 40;
 29 thence N. 44°15' W., a distance of 165.33 feet along said
 highway right of way to Corner No. 5; thence from a tangent
 30 bearing N. 44°15' W., on a curve to the left with a radius
 of 1470.00 feet thru an angle of 6°41'25", an arc length of
 31 171.65 feet along said highway right of way line to Corner
 No. 6; thence N. 44°15' W., a distance of 223.65 feet along said

1 highway right of way line to Corner No. 7, a point on the East-
 2 West 1/4 section line of said Section 18; thence S. 89°54' W.,
 3 a distance of 363.22 feet along said 1/4 section line to
 4 Corner No. 8, being a point on the northeasterly line of
 5 said 60.00 foot road as shown on the Record of Survey described
 6 above; thence S. 44°01'30" E., a distance of 1112.18 feet along
 7 the northeasterly line of said 60.00 foot road as shown
 8 on said Record of Survey to Corner No. 1, the point of beginning.

9 TOGETHER WITH all improvements situate thereon.

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

15 Note and Second Deed of Trust from Charles J.
 16 Lane, Jr. and Elva R. Lane, his wife, to
 17 Alan K. Elquist and Joanna Elquist, dated
 18 October 15, 1969, in the principal sum of
 19 \$5,187.79, with interest at 7%, said Deed of
 20 Trust having been placed of record in Book 419,
 21 Official Records, page 606, Washoe County Recorder's
 22 Office.

23 Series E Savings Bonds in the names of Alan
 24 Elquist or Joanna Elquist.

25	Number	Face Value
26	Q2279 553 772E	\$25.00
27	Q2334 434 984E	\$25.00

28 Time Certificate of Deposit 11971, First National
 29 Bank of Nevada, Elko Main Branch, in the sum of
 30 \$3,000.00 (Value included in monies on hand)

31 Union Oil Co. of California No. C556 432 - 100 shares

BankAmerica Corp. - 246 shares

Capitol Intl. Airways - 100 shares

Electronic Associate - 100 shares

Hortland Genl. Elec. - 67 shares

Purex Corporation - 17 shares

Standard Oil Co. of California - 50 shares

Western Industrial Shares, Inc. held under Western
 Fund Plan Investment Account 3005 - 1188.02 shares

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Promissory Note dated February 1, 1975, in the sum of \$35,000.00 from John D. Elquist and Angie Elquist, his wife, payors, to James M. Elquist, as Administrator of the Estate of Alan K. Elquist, Deceased, and James M. Elquist, as Administrator of the Estate of Joanna F. Elquist, Deceased, the payment of said note being secured by a Deed of Trust from payors above to First American Title Company of Nevada, Trustee, in favor of payees above, which Deed of Trust has been placed of record in Book 131, Official Records, page 378, Lander County Recorder's Office.

All right, title and interest of the Estate in and to that certain Promissory Note owing to C. W. Baker Company by Alan K. Elquist and Joanna Elquist, and assumed by Charles J. Lane, Jr. and Elva R. Lane, which first Deed of Trust has been placed of record in Book 594, Trust Deeds, page 29, File No. 342522, Washoe County Recorder's Office.

TOGETHER WITH all of Decedent's interest in the following separate property:

Series E Savings Bonds in the name of JOANNA FILIPPINI:

Number	Face Value
Q1860 667 456E	\$25.00
Q1030 033 351E	\$25.00
Q1030 033 348E	\$25.00
Q1001 076 600E	\$25.00
Q1029 855 883E	\$25.00
Q1054 035 531E	\$25.00
Q1054 035 523E	\$25.00
Q1525 551 166E	\$25.00

An undivided one-sixth interest in and to certain property situate in Lander County, State of Nevada, as follows:

T. 28 N., R. 46 E., MDB&M

Section 2: E $\frac{1}{2}$ NE $\frac{1}{4}$
 4: SW $\frac{1}{4}$ SW $\frac{1}{4}$
 5: NW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$
 6: Lots 1 and 2

T. 29 N., R. 46 E., MDB&M

Section 6: S $\frac{1}{2}$ NE $\frac{1}{4}$
 16: SW $\frac{1}{4}$ NW $\frac{1}{4}$
 18: N $\frac{1}{2}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$
 20: E $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$
 28: N $\frac{1}{2}$ NW $\frac{1}{4}$
 32: E $\frac{1}{2}$ SW $\frac{1}{4}$
 34: NE $\frac{1}{4}$

1 T. 30 N., R. 46 E., MDB&M

2 Section 10: W $\frac{1}{2}$ E $\frac{1}{2}$
 12: NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$
 3 22: NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ S $\frac{1}{2}$
 26: SW $\frac{1}{4}$ SW $\frac{1}{4}$
 4 28: W $\frac{1}{2}$ W $\frac{1}{2}$
 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$
 5 36: NW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

6 T. 31 N., R. 46 E., MDB&M

7 Section 19: All
 30: N $\frac{1}{2}$; SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$
 8 32: All

9 T. 32 N., R. 46 E., MDB&M

10 Section 35: All

11 T. 31 N., R. 45 E., MDB&M

12 Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$
 25: All
 13 26: E $\frac{1}{2}$
 35: All
 14 36: All

15 T. 33 N., R. 45 E., MDB&M

16 Section 34: NW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$

17 T. 32 N., R. 47 E., MDB&M

18 Section 10: NE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$ *

19 *No conveyances to the various vestees are found
 in lot book. No other owners shown for this
 20 parcel. (Information from First American Title
 Company.)

21 TOGETHER WITH all improvements, water rights and grazing
 22 rights situate on or about the above premises or used in
 connection therewith.

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

26 TOGETHER WITH all personal property situate on or
 27 about the above premises.

28 An undivided one-sixth interest in and to certain property situate
 29 in the Town of Battle Mountain, County of Lander, State of Nevada,
 more particularly described as follows:

30 Lots 1 thru 12 inclusive in Block L, as shown on the
 plat of the Town of Battle Mountain, County of Lander,
 31 State of Nevada, filed in the office of the County
 Recorder of Lander County, Nevada.

1 TOGETHER WITH all improvements situate thereon.

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

5 TOGETHER WITH personal property situate on or
6 about the above premises.

7 16. That said Estate is in all respects ready to be
8 closed.

9 WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

10 A. That the First and Final Account of said Adminis-
11 trator be, and the same hereby is finally settled, allowed and
12 approved.

13 B. That there be allowed and paid unto the firm of
14 WILSON and WILSON, LTD., Attorneys for said Estate, the sum of
15 \$ 4692.00 as a reasonable Attorneys' fee for services to said
16 Estate.

17 C. That there be allowed and paid unto the firm of
18 WILSON and WILSON, LTD., as said Attorneys, the sum of \$301.30
19 in full of costs advanced by said firm, together with closing costs
20 in the sum of \$40.00.

21 D. That no statutory fees or commissions be allowed
22 unto JAMES M. ELQUIST, Administrator, for the reason that he has
23 waived payment of the same.

24 E. That there be allowed and paid unto MARION S. FISHER
25 the sum of \$50.00 in full for his services as Appraiser for said
26 Estate.

27 F. That there be allowed and paid unto DICK MEADE the
28 sum of \$125.00 in full for his accounting services for said Estate.

29 G. That there be allowed and paid unto JAMES M. ELQUIST
30 the sum of \$1,043.64 for monies advanced by him on behalf of
31 Decedent.

H. That after the payment of costs of administration, including the fees of the Attorneys, Appraiser and the Accountant, reimbursement to JAMES M. ELQUIST, and withholding of the sum of \$500.00 pending audit of the amended Federal Estate Tax Return, that all of Decedent's interest in and to the above described property be, and the same hereby is distributed unto WILLIAM E. MARTIN and JOSEPHINE F. MARTIN, as Guardians of the Persons and Estates of ALISON E. ELQUIST, JOSEPH A. ELQUIST, AMY L. ELQUIST, JAY M. ELQUIST, and ANGELA M. ELQUIST, in equal shares.

I. That any and all other real or personal property of any name or nature not hereinabove described and within the jurisdiction of the above entitled Court, in which said Estate shall have an interest and whether now known or not, be, and the same hereby is distributed as set forth in Paragraph H above.

J. That upon filing receipts showing distribution as hereinabove ordered and upon recording a certified copy of this Decree in the Lander County Recorder's Office, Austin, Nevada, said Administrator shall be discharged from his Trust and his bond exonerated.

DONE IN OPEN COURT and this written Decree signed on this 20th day of June, 1975.

JOHN F. SEXTON
DISTRICT JUDGE.

RECORDED AT REQUEST OF

Wilson & Wilson
June 20, 1975 AT 11:00 A.M.

BOOK 132 OFFICIAL RECORDS PAGE 124
OF LANDER COUNTY, NEVADA

FEES PAID 11.00

FILE NO. Estelle Saralegui
COUNTY RECORDER

080330

THIRD JUDICIAL DISTRICT COURT, IN AND FOR COUNTY OF LANDER, STATE OF NEVADA	SS
I, the undersigned COUNTY CLERK, and ex-officio CLERK OF SAID THIRD JUDICIAL DISTRICT COURT, do hereby certify that the foregoing is a full, true and correct copy of the original as the same appears and that I have carefully compared the same with the original.	
WITNESSED my hand and seal of said DISTRICT COURT this 20th day of June, 1975.	
<i>[Signature]</i> County Clerk and ex-officio Court Clerk	Deputy Clerk

APPROVED