

1 IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE  
2 STATE OF NEVADA, IN AND FOR THE COUNTY OF ORMSBY.

3  
4 IN THE MATTER OF THE ESTATE OF  
5 JOHN LESLIE HARVEY, also  
6 known as JOHN L. HARVEY,  
7 Deceased.

No. 23637

FILED

FEB 17 1964

CLERK

BY \_\_\_\_\_

DEPUTY

8  
9 DECREE OF DISTRIBUTION

10 The Petition of MARION E. HARVEY, as Administratrix with  
11 Will Annexed of the Estate of JOHN LESLIE HARVEY, also known as  
12 JOHN L. HARVEY, Deceased, coming on regularly at this time for  
13 hearing, and

14 It Appearing -

15 That due notice of such hearing has been given as required  
16 by law;

17 That the Final Account of said Administratrix with Will  
18 Annexed has been duly made and has been confirmed by Order of  
19 this Court.

20 That the whole of said estate is the community property  
21 of the above-named decedent and Marion E. Harvey, surviving wife;

22 That on the 23rd day of April, 1962, the said JOHN LESLIE  
23 HARVEY, also known as JOHN L. HARVEY, died testate in Ormsby  
24 County, Nevada, leaving his Last Will and Testament, and that  
25 said Last Will and Testament was duly admitted to probate in  
26 the above-entitled Court on the 18th day of June, 1962, and there-  
27 after said Petitioner was appointed Administratrix With Will Annex-  
28 ed, and Letters of Administration with Will Annexed were duly  
29 issued to your Petitioner;

30 That by the terms of the Last Will and Testament of said

1 decedent duly admitted to probate herein, all of the Estate of  
2 said decedent id sributed as follows:

3 (1) I give and devise to my wife, MARION E.  
4 HARVEY, a life estate in our home at 924  
5 Lynn Avenue, Carson City, Ormsby County,  
6 Nevada, without bond and liability for waste,  
7 with full power and authority during her  
8 lifetime to sell, convey and dispose of such  
9 property in fee simple and to retain absolutely  
10 as her own all of the proceeds thereof. Upon  
11 the death of my wife, I give and devise such  
12 property, if it has not been theretofore disposed  
13 of by her, to my Trustee, hereinafter named, in  
14 trust, for the purposes set forth in Paragraph  
15 below.

16 (2) I give, devise and bequeath the rest, residue  
17 and remainder of my estate, real and personal  
18 wheresoever situate, to the First National Bank  
19 of Nevada, Reno, Nevada, in Trust to hold, manage,  
20 and distribute as hereinafter provided:

21 (a) The net income from the trust estate shall  
22 be paid in monthly installments to my Wife,  
23 Marion, during her lifetime. In addition to the  
24 net income, the Trustee is authorized to pay her,  
25 or expend for her benefit, such part of the  
26 principal of the trust estate as may be found to  
27 be necessary for her support, care and maintenance.

28 (b) Upon the death of my wife, or if she should  
29 predecease me, then upon my death the corpus and un-  
30 distributed income, if any, of the above trust  
estate shall be distributed in equal shares, share  
and share alike, to my children, i.e. JAMES ALLEN  
HARVEY, ELIZABETH H. BLAICKIE, SAMUEL SCOTT HARVEY,  
MARION LESLIE WHITTEMORE and JOHN FREDERIC HARVEY.

(c) If any of my children should predecease me,  
or shall die before having received the entire  
principal of his, or her share, the remaining un-  
distributed principal and any undistributed income  
shall be divided among, his, or her children  
surviving him, or her, per stirpes;

(d) In the event any of my children shall die  
leaving no lawful issue surving him, or her, the  
share of such deceased child or children, of mine  
shall lapse and drop out thereby increasing the  
share, or shares, of any other child, or children,  
or their issue, as the case may be.

(3) Without limitation of the powers conferred upon it  
by Statute, or by general rules of law, my trustee is specifically  
authorized and empowered:

1 (a) Except as otherwise provided herein, to  
2 hold, manage, sell, reinvest or otherwise  
dispose of the trust property;

3 (b) To invest the trust property and to retain  
4 as trust property such investments as men of  
5 prudence may purchase and hold for their own  
6 account, it being my intention to give the broad-  
7 est investment powers and discretion to my trustee.  
8 It is my desire that my children consult with my  
9 Trustee from time to time and to make recommendations  
with regard to said investments;

10 (c) To sell or otherwise dispose of any property,  
11 real or personal, at any time forming a part of my  
12 estate, for cash, or upon credit, in such manner,  
13 and on such terms and conditions as it may deem best;

14 (d) To manage, operate, repair, improve, mortgage,  
15 and lease for any term any real estate at any time  
16 held by it;

17 (e) To make distribution in cash or in kind upon  
18 any division of my estate; and,

19 (f) In general, to exercise all powers in the  
20 management of my estate which any individual could  
21 exercise in the management of similar property owned  
22 in his own right, upon such terms and conditions as  
23 may seem best to it, and to execute and deliver any  
24 and all instruments and to do all acts which it may  
25 deem necessary or proper to carry out the purposes  
26 of this Will.

27 (4) I direct that the Trustee shall not sell or otherwise  
28 dispose of my improved property at Zephyr Cove, Lake Tahoe,  
29 Nevada, during the life of my wife unless my wife directs  
30 the Trustee to sell such property. I further direct that  
the Trustee shall permit my children and grandchildren to  
have the use of the Zephyr Cove property above described,  
rent free, during the months of July and August.

That as reflected and set forth herein, and by written  
agreement made and entered into between the decedent and your  
Petitioner under date of July 7, 1959, all of the foregoing estate  
set forth and reflected herein is the community property of the  
decedent and your Petitioner as husband and wife.

That the Testamentary Trustee, to wit, the First National  
Bank of Nevada, Reno, Nevada, named in the Last Will and Testa-  
ment of said decedent, has renounced said appointment as Trustee  
and that your Petitioner herein asks and petitions that she be

1 named as Testamentary Trustee in the place and stead of the  
2 named Testamentary Trustee.

3 It is therefore, -

4 ORDERED, ADJUDGED AND DECREED that the said Estate of  
5 JOHN LESLIE HARVEY, also known as JOHN L. HARVEY, Deceased, now  
6 in the hands of the Administratrix with Will Annexed, and herein-  
7 after set forth and described, and as affected by this Decree  
8 be, and the same is hereby distributed as follows:

9 (1) To Marion E. Harvey, a life estate in the family  
10 home at 924 Lynna Avenue, Carson City, Nevada, more  
11 particularly described as Lot 3, Block "A", Meadowlands  
12 Manor, in Carson City, Nevada, without bond and liability  
13 for waste, with full power and authority during her  
14 lifetime to sell, convey and dispose of such property in  
15 fee simple and to retain absolutely as her own all of the  
16 proceeds thereof. Upon the death of said Marion E.  
17 Harvey, such property, if it has not been theretofore  
18 disposed of by her, to the TRUST ESTATE IN TRUST for the  
19 purposes hereinafter set forth.

20 (2) The rest, residue and remainder of the estate of  
21 said decedent, real and personal, wheresoever situate,  
22 to Marion E. Harvey, of Carson City, Ormsby County, Nevada,  
23 IN TRUST, to hold, manage and distribute as follows, to-wit:

24 (a) To Marion E. Harvey, wife of decedent, during  
25 her lifetime. In addition to the net income, the  
26 Trustee is authorized to pay her, or expend for her  
27 benefit, such part of the principal of the Trust  
28 Estate as may be found to be necessary for her  
29 support, care and maintenance.

30 (b) Upon the death of Marion E. Harvey, the corpus  
and undistributed income, if any, of the above Trust  
Estate shall be distributed in equal shares, share  
and share alike, to the children of said decedent, i.e.,  
JAMES ALLEN HARVEY, ELIZABETH M. BLAICKIE, SAMUEL SCOTT  
HARVEY, MARION LESLIE WHITTEMORE and JOHN FREDERICK  
HARVEY.

(c) Should any of said children die before having  
received the entire principal of his or her share,  
the remaining undistributed principal and any  
undistributed income shall be divided between his  
or her children surviving him or her, per stirpes;

(d) In the event any of said children shall die,  
leaving no lawful issue surviving him or her, the  
share of such deceased child or children shall lapse  
and drop out thereby increasing the share, or shares  
of any other child, or children, or their issue,  
as the case may be.

1 (j) Without limitation of the powers conferred upon it  
2 by Statute, or by general rules of law, the Trustee is  
3 specifically authorized and empowered:

4 (a) Except as otherwise provided herein, to  
5 hold, manage, sell, reinvest or otherwise  
6 dispose of the trust property.

7 (b) To invest the Trust property and to retain  
8 as Trust property such investments as men of  
9 prudence may purchase and hold for their own  
10 account, it being the intention to give the  
11 broadest investment powers and discretion to the  
12 Trustee. It is the desire of decedent that  
13 the children consult with the Trustee from time  
14 to time and to make recommendations with regard  
15 to said investments.

16 (c) To sell or otherwise dispose of any property,  
17 real or personal, at any time forming a part of  
18 the estate, for cash, or upon credit, in such  
19 manner, and on such terms and conditions as she  
20 may deem best

21 (d) To manage, operate, repair, improve, mortgage,  
22 and lease for any term any real estate at any time  
23 held in the Trust Estate.

24 (e) To make distribution in cash or in kind upon  
25 any division of the Trust Estate;

26 (f) In general, to exercise all powers in the  
27 management of the Estate which any individual  
28 could exercise in the management of similar  
29 property owned in his own right, upon such terms  
30 and conditions as may seem best to her, and to  
execute and delivery any and all instruments  
and to do all acts which she may deem necessary  
or proper to carry out the purposes of the Testator.

(k) The Trustee shall not sell or dispose of the improved  
property at Zephyr Cove, Lake Tahoe, Nevada, during the  
life of Marion E. Harvey, the decedent's wife, unless  
she directs the Trustee to sell such property. The  
Trustee shall permit the children and grandchildren of the  
decedent to have the use of the Zephyr Cove property above  
described rent free during the months of July and August

That the property comprising the said estate of decedent  
so far as now known or discovered, and distributed herein, as  
aforesaid, is described as follows:

PARCEL 1:  
SITUATE IN DOUGLAS COUNTY, NEVADA  
All right, title and interest of John

1 Leslie Harvey, Deceased, in and to  
2 parcel of land described as follows:

3 Beginning at the S.W. corner of Lot 16  
4 Block F and continuing due South on the same  
5 straight line which is the western boundary  
6 line of Lot 16 as shown on Zephyr Cove  
7 Property's Amended Map which was filed for  
8 record with the Recorder of Douglas County,  
9 Nevada, August 5, 1929, to the north boundary  
10 line of U.S. Highway 50, approximately 35  
11 feet, more or less, thence east along the  
12 north boundary line of Highway 50 - 100 feet  
13 more or less to the point due south of the S.E.  
14 corner of Lot 16; thence North approximately  
15 35 feet more or less to the S.E. corner of  
16 Lot 16; thence West along the south boundary  
17 line of Lot 16 to the point of beginning;  
18 with a 15 foot right of way along the Old  
19 Lincoln Highway (across Lot 15) as an out-  
20 let to the east.

21 **PARCEL 2:**  
22 **SITUATE IN ORMSBY COUNTY, NEVADA**

23 All right, title and interest of John Leslie  
24 Harvey, in and to an undivided one-half (1/2)  
25 interest in and to the following described  
26 property:

27 Beginning at the southwest corner of  
28 Block No. forty-one (41) of Proctor and  
29 Green's Division of Carson City, Ormsby  
30 County, Nevada and running thence northerly  
along the east side of Curry Street, seventy  
two (72) feet; thence easterly at right  
angles twenty eight (28) feet; thence southerly  
at right angles two (2) feet; thence easterly  
at right angles thirty (30) feet; thence Southerly  
at right angles seventy (70) feet; thence Westerly  
at right Angles fifty-eight (58) feet along the  
North line of Telegraph Street to place of  
beginning, being portions of Lot six (6), seven  
(7) and ten (10) of said Block forty-one (41) of  
Proctor and Green's Division of Carson City,  
Ormsby County, Nevada

31 **PARCEL 3:**  
32 **SITUATE IN ORMSBY COUNTY, NEVADA**

33 All right, title and interest of John Leslie  
34 Harvey, in and to the following described property:

35 Lot 3, Block "A", Meadowlands Manor,  
36 Carson City, Ormsby County, Nevada

1 PERSONAL PROPERTY:

2 Securities:

3 Union Oil Company of California, Certificate No.  
4 LC 152320 - 1 Share;  
5 0

6 Union Oil Company of California, Certificate No.  
7 LC 115555 - 4 Shares;  
8 0

9 Union Oil Company of California, Certificate No.  
10 LC 30624 - 4 Shares;  
11 0

12 Union Oil Company of California, Certificate No.  
13 LC 1130 - 40 Shares  
14 0

15 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all net  
16 income accruing from the aforesaid property, and now in the  
17 hands of MARION E. HARVEY, Administratrix with Will Annexed,  
18 and Testamentary Trustee, be, and the same is hereby distributed  
19 to MARION E. HARVEY, wife of the said Decedent.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any and  
21 all other property belonging to the decedent, and wherever  
22 situated, and whether or not described herein be, and the same  
23 is hereby distributed in the manner aforesaid.

24 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon  
25 distribution of the Estate as aforesaid, the Administratrix with  
26 Will Annexed, MARION E. HARVEY, be, and she is hereby discharged  
27 as Administratrix with Will Annexed and her Trust exonerated.

28 DONE IN OPEN COURT this 17th day of February, 1964.

29 *Richard J. Wooten*  
30 \_\_\_\_\_  
DISTRICT JUDGE

31  
32  
33  
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38  
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40

Wm. J. Crowell  
Attorney at Law  
Old Bank Building  
Casper City, N.M.

8125

BOOK 18 PAGE 671

210248

STATE OF NEVADA }  
COUNTY OF ORMSBY }

I, GERALDINE LAKE, County Clerk of Ormsby County, State of Nevada,  
and ex officio Clerk of the District Court, in and for the County of Ormsby, do hereby certify that the  
foregoing is a full, true and correct copy of the original DECREE OF DISTRIBUTION, in the  
action # 23637, entitled:

IN THE MATTER OF THE ESTATE OF

JOHN LESLIE HARVEY, also

known as JOHN L. HARVEY, Deceased.

which now remains on file and of record in my office in said Carson City, in said County.

In testimony whereof, I have herunto set my hand  
and affixed my official seal, at Carson City, in said  
County and State, this 17th day  
of February, A. D. 1964.

*Geraldine Lake*

Clerk.

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PERSONAL PROPERTY

COPIES

Filed for Record at Request of Wm J. Crowell  
FEB 17 1964 at 28 Min. Past 4 o'clock P.M.  
Recorded in Book 18 of Official Records  
Page 665 Eschsch County, Nevada  
William J. Crowell County Recorder  
By ES SM Deputy  
File No. 72322  
87.25

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J. LEWIS L. NEW  
WALTON TARRANT  
COUNTY CLERK  
ESCHSCH COUNTY, NEVADA

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COPY

REQUESTED BY  
**FIRST NEVADA TITLE COMPANY**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'89 SEP -6 P12:21

SUZANNE BEAUDREAU  
RECORDER **210248**

\$1400 PAID *SD* DEPUTY

BOOK 989 PAGE 457

**CERTIFIED COPY**  
THE FOREGOING DOCUMENT IS A FULL,  
TRUE AND CORRECT COPY OF THE RECORDED  
IN THE OFFICE OF THE CARSON CITY  
RECORDER, CARSON CITY, NEVADA.  
WITNESS MY HAND AND SEAL THIS

24 DAY OF August 1989  
ALAN BLOVER, CARSON CITY RECORDER

BY: Mally Tjelt

**SEAL**