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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY

* * * * *

IN THE MATTER OF THE ESTATE No. 31097
OF

MARION E. HARVEY,
Deceased.

FILED

1972 AUG 20 AM 13:57

ORDER APPROVING, SETTLING AND VAUGHN L. SMITH
ALLOWING FINAL ACCOUNT AND PROVIDING 5. C. CLERK
FINAL DISTRIBUTION OF ESTATE DEPUTY

The first and final account of petitioner, JOHN
FREDERIC HARVEY, Administrator with the Will Annexed of the
Estate of MARION E. HARVEY, Deceased, together with his
petition for final distribution, having this day come on
regularly for hearing before the Court, notice of said hearing
having been duly given and proved, and the Court having heard
all evidence relevant and material in the premises, the Court
heraby finds as follows:

I.

That MARION E. HARVEY, hereinafter called decedent,
came to her death on the 15th day of April, 1971, in the City
of Carson, State of Nevada, being at the time of her death a
resident of Carson City, State of Nevada.

II.

That on the 21st day of June, 1971, after due and
legal notice of a hearing thereon, this Court ordered that an
instrument executed on the 24th day of July, 1959, be admitted
to probate as the Last Will and Testament of decedent, and
Letters Testamentary With the Will Annexed be issued to
petitioner herein upon his taking the oath; the First National

1 Bank of Nevada having waived and renounced appointment as
 2 executor and any and all positions of trust in said will; and
 3 petitioner having qualified, such letters were so issued, which
 4 letters have never been revoked, and petitioner ever since has
 5 been, and now is, the duly appointed, qualified and acting
 6 executor of the will of decedent.

7 III.

8 That decedent left an estate consisting of personal
 9 and real property within the jurisdiction of this Court, as
 10 evidenced by the Inventory and Appraisement on file herein,
 11 valued therein at \$219,297.87.

12 IV.

13 That the will of decedent bequeaths and devises a
 14 of the estate to the following individuals:

15 <u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>RESIDENCE</u>
16 John Frederic Harvey	Son	Over 21	468 Michele Way, Sparks, Nev.89431
17 Samuel Scott Harvey	Son	Over 21	3414 Pairesta St, La Crescenta, Ca. 91214
19 James Allen Harvey	Son	Over 21	2708 Caroline Way, Arcadia, Ca.91006
21 Marion Leslie Whittemore	Daughter	Over 21	3035 Sprout Way, Sparks, Nev.89431
22 Elizabeth H. Blaikie	Daughter	Over 21	400 Winter Drive, Carson City, Nev.

24 V.

25 That on the 21st day of June, 1971, petitioner
 26 caused posting of notice to creditors of decedent to be made,
 27 and on the 24th day of June, 1971, caused first publication of
 28 notice to creditors of decedent to be made, requiring said
 29 creditors to present their respective claims, within three (3)
 30 months from date of first publication of notice to creditors;
 31 and that said publication was made in the Carson City Nevada
 32 Appeal, a newspaper of general circulation in, and printed and
 published in, Carson City, Nevada, and was made for the time

1 and in the manner required by law; and the time for presenting
2 claims against said estate, as fixed by said notice to
3 creditors, has since expired; and that no claims were filed
4 against said estate.

VI.

5
6 That Petitioner's account shows, for his receipts
7 and disbursements and the balance thereof, the account annexed
8 to his petition as Exhibits "A" and "B".

VII.

9
10 That the Petitioner collected and credited the
11 account with all interest, dividends, note payments and income
12 due.

VIII.

13
14 That the Petitioner paid all real estate taxes,
15 insurance, maintenance and other expenses relative to the real
16 property held in the estate.

IX.

17
18 That the Petitioner prepared and filed the Fiduciary
19 Tax Return and paid the indicated tax due of \$221.00.

X.

20
21 That the Petitioner prepared and filed the Federal
22 Estate Tax Return prepared by Kafoury, Armstrong, Bernard and
23 Bergstrom, C.P.A.'s, and paid the indicated tax due of
24 \$32,310.16. No clearance has been received from the Internal
25 Revenue Service; and decedent's legatees and devisees agree to
26 pay any additional taxes due.

XI.

27
28 That the Petitioner filed with the Internal Revenue
29 Service, a tax return on the decedent's personal tax return
30 for 1971, showing tax of \$203.00 due, and amended returns for
31 1970, showing refunds due of \$154.00.

32

XII.

1
2 That Petitioner sold the 1962 Buick automobile
3 belonging to the decedent as a depreciating asset to the
4 highest bidder for a sum of \$100.00, which proceeds were
5 deposited to the account of the estate.

XIII.

6
7 That pursuant to the confirmation of this Court on
8 the 7th day of July, 1972, the residence of the decedent was
9 sold to the highest bidders, namely, ANDY J. and CATHERINE
10 ANNE HLAVATY for the sum of \$20,680.00, cash, which said
11 proceeds were deposited to the account of the estate.

XIV.

12
13 That the Petitioner, in order to raise needed cash
14 for the estate, pursuant to an Order of this Court dated the
15 27th day of March, 1972, sold all of decedent's shares in
16 Colonial Equities, Inc., a mutual fund, the proceeds of which
17 have been deposited to the account of the estate.

XV.

18
19 That the foregoing distributees of the estate
20 executed a promissory note for \$19,000.00, cash, which said sum
21 they advanced to the estate of decedent to defray estate tax
22 and probate expenses.

XVI.

23
24 That WILLIAM KIMMEL, GENE EMPEY and W.R. BUTLER
25 were appointed appraisers of the estate of decedent by the
26 Court, have filed their Inventory and Appraisement, and are
27 entitled to reasonable compensation for their respective
28 services to the estate.

XVII.

29
30 That Petitioner engaged the services of LAXALT,
31 BERRY & ALLISON, as attorneys for the estate; and that they
32 have rendered such services, and are entitled to reasonable

1 compensation therefor; and that, in addition, said attorneys
2 are entitled to be reimbursed from the estate for costs
3 advanced in the amount of \$367.90.

4 XVIII.

5 That the Petitioner as Administrator With the Will
6 Annexed should be allowed his statutory fee in the sum of
7 \$4,505.96 based upon an estate Inventory of \$219,297.87.

8 IX.

9 That certain expenses normal and usual in connection
10 with the closing of such an estate may become due and payable
11 in an amount of approximately \$20.00.

12 XX.

13 That the estate is now ready and in condition to
14 be closed and distributed.

15
16 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED and
17 DECREED as follows:

18 1. That the first and final account of Petitioner,
19 JOHN FREDERIC HARVEY, Administrator With the Will Annexed of
20 the Estate of MARION E. HARVEY, is hereby approved, allowed
21 confirmed and settled.

22 2. That said Administrator With the Will Annexed is
23 directed to pay to the appraisers of the estate, to-wit:

24	WILLIAM KIMMEL	\$750.00
25	GENE EMPEY	\$750.00
26	W.R. BUTLER	\$100.00

27 3. That said Administrator With the Will Annexed is
28 directed to pay to LAXALT, BERRY & ALLISON, ESQS., for legal
29 services rendered to the estate, the sum of \$ 10,965⁰⁰
30 together with their costs advanced in the sum of \$367.90.

31 4. That said Administrator With the Will Annexed is
32 directed to pay to himself as Administrator With the Will

1 Annexed for services rendered to the estate, the sum of
2 \$4,505.96.

3 5. That said Administrator With the Will Annexed
4 shall reserve and pay any reasonable expenses incurred in the
5 closing of the estate, not to exceed \$20.00.

6 6. That said Administrator With the Will Annexed
7 shall distribute, deliver and convey the entire estate, now
8 known or later discovered, in equal shares, pursuant to the
9 Last Will and Testament of the decedent, to the following
10 named legatees, absolutely: JOHN FREDERIC HARVEY, SAMUEL SCOTT
11 HARVEY, JAMES ALLEN HARVEY, MARION LESLIE WHITEMORE and
12 ELIZABETH H. BLAIKIE, including, but not limited to, the interest
13 of the estate in the five (5) shares of stock of Zephyr Cove
14 Properties, Inc, a Nevada Corporation; the Promissory Note
15 between PETER VEVES and LORRAINE E. VEVES, husband and wife,
16 and the decedent, in the face amount of \$5,000.00 with interest
17 at 6 1/2 percent, dated the 23rd day of February, 1971, and
18 the interest of the decedent in that certain Deed of Trust
19 securing the aforesaid Promissory Note dated the 23rd day of
20 February, 1971, between PETER VEVES and LORRAINE E. VEVES,
21 Husband and Wife, Trustors, and FIRST AMERICAN TITLE COMPANY
22 OF NEVADA, a Nevada Corporation, Trustee, and MARION E. HARVEY,
23 the decedent, Beneficiary; said Deed of Trust on property
24 located in Carson City, State of Nevada, and more particularly
25 described as follows:

26 Lot 5 and the West seven feet of Lot 4
27 in Block 8 as shown on the Map of Sears
28 Thompson and Sears Division, Carson City,
Ormsby County, Nevada.

29 In addition, said Administrator With the Will
30 Annexed shall distribute, deliver and convey to the aforesaid
31 legatees, all the right, title and interest of the decedent
32 in the following parcels of real property:

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1 (a) Real property situate at 110-112 West
 2 Telegraph Street, Carson City, Nevada,
 3 and more particularly described as
 4 follows:

5 Beginning at the southwest corner of
 6 Block No. 41 of Proctor and Green's
 7 Division of Carson City, Ormsby County,
 8 Nevada, and running thence northerly
 9 along the east side of Curry Street
 10 72 feet; thence easterly at right angles
 11 28 feet; thence southerly at right
 12 angles 2 feet; thence easterly at right
 13 angles 30 feet; thence southerly at
 14 right angles 70 feet; thence westerly
 15 at right angles 58 feet along the north
 16 line of Telegraph Street to place of
 17 beginning, being portions of Lots 6, 7
 18 and 10 of said Block 41, of Proctor and
 19 Green's Division of Carson City, Nevada.

20 Said interest of the decedent being an
 21 undivided one-half interest.

22 (b) Real property situate at Zephyr Cove, Lake
 23 Tahoe, Douglas County, Nevada, and more
 24 particularly described as follows:

25 Lot 13 of Block F, Amended Map of Zephyr
 26 Cove Property located in Section 10,
 27 Township 13 North, Range 18 East,
 28 M.D.B. & M.

29 (c) Real property situate at Zephyr Cove, Lake
 30 Tahoe, Douglas County, Nevada, and more
 31 particularly described as follows:

32 Lot 16 of Block F, Amended Map of Zephyr
 Cove Property located in Section 10,
 Township 13 North, Range 18 East,
 M.D.B. & M.

7. That any trust created pursuant to the Last Will
 and Testament of JOHN LESLIE HARVEY, deceased, dated the 24th
 day of July, 1959, and as distributed by a decree of this
 Court dated the 17th day of February, 1964, is hereby
 terminated and deemed extinguished and all of the property
 possessed by the decedent at her death upon completion of the
 conditions set forth in this Order shall be distributed

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absolutely to the legatees herein.

8. That upon the Administrator With the Will Annexed making the aforementioned ordered and required distributions and conveyances, and upon due proof thereof to the Court, said Administrator With the Will Annexed shall petition this Court for final discharge as Administrator With the Will Annexed.

DONE IN OPEN COURT this 28th day of August, 1972.

Frank B. Gregory
DISTRICT JUDGE

Filed for Record at Request of
Japack, Jerry, Alton
All: 28th 1972 at 4
Min. Past 11 o'clock A.M.
Recorded in Book 129
of official Records
Page 105
Carson City, Nevada
Peter Japack
Carson City Recorder
By Thomas A. ...
Deputy
File No. 9731
Fee 110.00

CERTIFIED COPY
The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.
DATE: August 28, 1972
VAUGHN L. SMITH, City Clerk and Clerk of the First Judicial District, Court of the State of Nevada, in and for Carson City.
By J. Coxner, Deputy

COPY

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

'89 SEP -6 P12 :25

SUZANNE BEAUDREAU
RECORDER

\$ 13⁰⁰ PAID: BH DEPUTY

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BOOK 989 PAGE 466

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 19 89

ALAN GLOVER, CARSON CITY RECORDER

BY: [Signature]
SEAL