

RECORDED  
**ENDORSED  
FILED**

OCT 26 1989

SHELDON D. JOHNSON, County Clerk  
AMADOR COUNTY  
BY SUE ALKEMA Deputy

1 Law Office of  
2 MICHAEL H. CHISHOLM  
3 39 Summit Street...  
4 Jackson, CA 95642  
5 Telephone: (209) 223-0862

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7  
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 IN AND FOR THE COUNTY OF AMADOR

10  
11 In the Matter of the Estate ) No. 5592  
12 of )  
13 CHARLES ELLSWORTH KIRK, whose ) JUDGMENT OF FINAL DISTRIBUTION  
14 name is also written CHARLES ) ON WAIVER OF ACCOUNTING.  
15 E. KIRK and CHARLES KIRK, )  
16 Deceased. )

17 ALEXINE McPHERRIN, as Executor of the Will of CHARLES  
18 ELLSWORTH KIRK, deceased, having filed her petition for final  
19 distribution, and the petition coming on this day regularly for  
20 hearing, LLOYD B. HAMILTON, Judge presiding, the Court finds:

21 Notice of hearing of the petition has been regularly given  
22 as prescribed by law;

23 All allegations of the petition are true.

24 CHARLES E. KIRK died testate on March 17, 1982, in Amador  
25 County, California, and was at the time of his death a resident  
26 of that county.

LAW OFFICES OF  
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JACKSON, CA 95642  
TEL. (209) 223-0862

248699

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5/18/82

1 On April 30, 1982, ALEXINE McPHERRIN was appointed Executor  
2 of the decedent's Will and qualified as such on that date. Since  
3 then she has been and now is the Executor of the Will.

4 Notice of death has been given as required by law and notice  
5 of administration has been given to creditors as required by law;  
6 the time for filing and presenting creditor's claims has expired  
7 and the estate now is in a condition to be closed.

8 No claims have been filed with the Court or presented to the  
9 Executor.

10 All debts of the decedent and of the estate and all expenses  
11 of administration have been paid, except closing expenses, comm-  
12 issions of petitioner as Executor, fees of MICHAEL H. CHISHOLM,  
13 her attorney, and expenses of administration advanced by Executor's  
14 attorney.

15 A federal estate tax return has been filed and the taxes shown  
16 to be due have been paid in full. The Internal Revenue Service  
17 has issued an Estate Tax Closing Letter.

18 All California inheritance taxes have been paid in full.

19 All California and federal income taxes due and payable by  
20 the estate have been paid.

21 There are no personal property taxes due or payable by the  
22 estate.

23 The estimated expenses of closing the estate are \$1,000.00  
24 and the Executor should be authorized to withhold that sum from  
25 distribtuion.

26 The estate consists entirely of the separate property of the

1 decedent.

2 Distribution should be ordered as prayed for.

3 IT IS ORDERED and adjudged that notice of death has been given,  
4 as required by law; that the Executor has in her possession belong-  
5 ing to the estate cash in the amount of \$23,899.72 and the here-  
6 after described property; that out of the cash in her hands, the  
7 Executor pay to GARD CHISHOLM the sum of \$7,064.50 hereby allowed  
8 as attorney's fees, and retain \$7,064.50 as commissions for her  
9 services; that the Executor reimburse her attorney for expenses o  
10 administration advanced in the amount of \$263.36; that the Executor  
11 retain the sum of \$1,000.00 from distribution for closing expenses;  
12 that the property described below be distributed to the following  
13 persons in the specified manner:

14 To The Estate of RODNEY KIRK, deceased, an undivided one-half  
15 interest in the following described property;

16 To DULCY TAMARIN, an undivided one-half interest in the  
17 following described property:

18 Promissory note of Thomas Lee Pedersen in favor of Charles  
19 E. Kirk, undated, in the face amount of \$63,545.00, bearing  
20 interest at the rate of 10% per annum, secured by a deed of  
21 trust dated March 10, 1980, recorded March 13, 1980, in  
22 Book 380, page 1354, Official Records of Douglas County,  
23 Nevada.

24 To the Estate of RODNEY KIRK, deceased, cash in the amount  
25 of \$4,253.68;

26 To DULCY TAMARIN, cash in the amount of \$4,253.68.

IT IS FURTHER ORDERED that all other property of the estate,  
whether described or not, be distributed as follows:

To ALEXINE McPHERRIN, for life, any interest in any property,  
real or personal, held as tenants in common with ALEXINE  
McPHERRIN at the time of the death of CHARLES E. KIRK;

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and upon the death of ALEXINE McPHERRIN, this interest is devised and bequeathed to PHYLLIS CASTLE, for life; and the remainder of said interest, upon the death of ALEXINE McPHERRIN and PHYLLIS CASTLE, and the survivor of them, to the Estate of RODNEY KIRK, deceased, and DULCY TAMARIN, the children of the decedent, share and share alike;

To the Estate of RODNEY KIRK, deceased, and DULCY TAMARIN, the children of the decedent, the rest, residue and remainder of the estate, in equal shares.

Dated:     OCT 23 1989    , 1989.

*[Signature]*  
\_\_\_\_\_  
Judge of the Superior Court.



The foregoing instrument is a correct copy of the original on file in this office if it bears the seal of the County of Amador imprinted in purple ink.  
Attest: **OCT 18 1990**

SHELDON D. JOHNSON, County Clerk  
and Ex-Officio Clerk of the Superior Court of the State of California in and for the County of Amador

**SEAD**

By *[Signature]* Deputy

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

**91 APR 19 AM 1:17**

SUZANNE BEAUDREAU  
RECORDER **248699**  
**8<sup>09</sup>** PAID *[Signature]* DEPUTY  
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