

FILED

NO _____

1 Case No. P-24084

'91 APR 22 A9:07

2 Dept. No. II

BARBARA REED
CLERK

BY J. THALER DEPUT

7 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF DOUGLAS

9 IN THE MATTER OF THE ESTATE
10 OF

DECREE SETTTLING ESTATE
AND PROVIDING FOR FINAL
DISTRIBUTION AND DISCHARGE

11 THELMA CHARLOTTE BARBER,

12 Deceased.

13 _____ /
14 LORAN L. BARBER, Executor of the Estate of THELMA CHARLOTTE
15 BARBER, Deceased, having submitted his First and Final Account of
16 Executor and Petition for Final Distribution of said estate, and
17 said Account and Petition coming on regularly to be heard this
18 22nd day of April, 1991; and it appearing to the satisfaction of
19 the Court that due notice of the time and place of said hearing
20 has been given in the manner and for the time required by law and
21 no person appearing to except to or contest said Report and
22 Petition; and the Court having heard and considered the matter
23 and being fully advised in the premises, and the estate is in
24 condition to be settled, the Court now finds:

25 I.

26 That on October 22, 1990, your petitioner, LORAN L. BARBER,
27 was duly appointed and qualified as Executor of the Estate of
28 THELMA CHARLOTTE BARBER and took the oath of office as required

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MANOUKIAN, SCARPELLO & ALLING, LTD.
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Return To:

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1 by law, and since that date has carried out all of the duties
2 required of him as Executor of the above entitled estate.

3 II

4 That during the course of administration petitioner has
5 marshalled together the assets of the estate, and an Inventory
6 was filed herein, indicating a value of \$847,625.00, all of which
7 assets are community property of the petitioner and decedent
8 herein.

9 III

10 That in accordance with law, petitioner has caused to be
11 published in THE RECORD-COURIER, a newspaper of general
12 circulation printed and published in Douglas County, Nevada, a
13 Notice to Creditors of the above entitled estate. That the time
14 for filing of creditors claims has expired, that there are no
15 known creditors, and that no claims were filed against the
16 estate.

17 IV

18 That during the course of probate Executor has received the
19 assets of the estate all as more fully set forth in the Summary
20 of Account attached to said First and Final Account of Executor
21 as Exhibit "A".

22 V

23 That decedent, THELMA CHARLOTTE BARBER, died testate, and
24 that by the terms of her Last Will and Testament dated the 17th
25 day of September, 1985, all of decedent's estate, together with
26 the right to receive any other property, whether real or
27 personal, which may subsequent to the date hereof be discovered,
28 shall be distributed as follows:

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1 A. To petitioner herein, LORAN L. BARBER, all of decedent's
2 jewelry, clothing, household furniture and furnishings, personal
3 automobiles, and other tangible articles of a personal nature,
4 pursuant to the provisions of Article IV,A of decedent's Last
5 Will and Testament.

6 B. To petitioner herein, LORAN L. BARBER, decedent's one-
7 half (1/2) interest in the property in which she and petitioner
8 were using as their personal residence at the time of her death
9 pursuant to the provisions of Article IV,B of decedent's Last
10 Will and Testament, and failing which said gift was to lapse and
11 be and become a part of the residue of decedent's estate.

12 Thus, distribution thereof was to be made outright to
13 LORAN L. BARBER, petitioner herein. Nevertheless, pursuant to a
14 Disclaimer dated September 4, 1990, and recorded in the office of
15 the Douglas County Recorder on September 14, 1990, petitioner
16 renounced all of his right, title and interest in and to said
17 private residence. Therefore, such distribution lapsed and
18 became a part of the residue of decedent's estate. As a result
19 thereof such distribution should be made to LORAN L. BARBER,
20 Trustee of that certain Residual Trust created pursuant to the
21 provisions of Article V of decedent's said Last Will and
22 Testament.

23 C. All of the rest, residue and remainder of decedent's
24 estate is to be distributed outright to LORAN L. BARBER,
25 petitioner herein, and free of the above-referred-to Trust
26 pursuant to the Marital Deduction Bequest provided for pursuant
27 to Article IV,C of decedent's Last Will and Testament.

28 /////

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VI

That all of the debts of the estate, expenses and charges of administration have been paid in full, and the estate is in condition to be finally settled.

VII

That petitioner is entitled to his statutory fee as Executor of the estate, but waives his entitlement thereto.

VIII

That petitioner retained the law firm of MANOUKIAN, SCARPELLO & ALLING, LTD., Attorneys at Law, to represent this estate and that said attorneys are entitled to a fee for their professional services rendered herein, together with a reimbursement of their costs advanced. Nevertheless, said attorneys waive their right to compensation and seek only a reimbursement of costs advanced to date in the sum of \$1,239.50, plus any costs reasonably and necessarily incurred in effecting final distribution.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

1. That the First and Final Account of Executor and Petition for Final Distribution be and hereby is settled, allowed, approved and in all other respects confirmed, adjudging said matter fully accountable.
2. That the administration of the estate may be closed and distribution of decedent's estate, together with any property, whether real or personal, which may subsequent to the date hereof be discovered, be distributed as follows:

A. To LORAN L. BARBER all of decedent's jewelry, clothing, household furniture and furnishings, personal automobiles, and

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1 other tangible articles of a personal nature, pursuant to the
2 provisions of Article IV,A of decedent's Last Will and Testament.

3 B. To LORAN L. BARBER, Trustee of that certain Residual
4 Trust created pursuant to the provisions of Article V of
5 decedent's said Last Will and Testament, decedent's one-half
6 (1/2) interest in the property in which she and LORAN L. BARBER
7 were using as their personal residence at the time of her death.

8 C. All of the rest, residue and remainder of decedent's
9 estate is to be distributed outright to LORAN L. BARBER, free of
10 the above-referred-to Trust pursuant to the Marital Deduction
11 Bequest provided for pursuant to Article IV,C of decedent's Last
12 Will and Testament.

13 3. That the Executor is authorized to pay to the law firm
14 of MANOUKIAN, SCARPELLO & ALLING, LTD., for their costs in the
15 sum of \$1,239.50 which have been advanced to date by said firm,
16 plus a reimbursement of costs reasonably and necessarily incurred
17 in effecting final distribution.

18 4. That the Executor do all things necessary and proper to
19 effectuate the distribution set forth above, and after making
20 distribution ordered herein and the payment of all costs, fees
21 and expenses of administration as ordered herein and incident to
22 closing of decedent's estate, and upon Executor filing his
23 vouchers and receipts showing payment of such costs and expenses
24 and showing final distribution, as hereinabove provided, that

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1 petitioner be discharged of his trust as Executor of the Estate
2 of THELMA CHARLOTTE BARBER, Deceased.

3 DONE IN OPEN COURT this 22nd day of April, 1991.

Norman C. Robinson

DISTRICT JUDGE

ORIGINAL

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ATTORNEYS AT LAW

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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: April 22, 1991 **SEAD**
Breed Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas.

By *J. Thaler* Deputy

REQUESTED BY
Manoukian et al
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

91 APR 24 P1:45

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SUZANNE BEAUDREAU
60 RECORDER

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5/0 PAID KA DEPUTY