

1 CASE NO. P-18653 FILED

2 DEPT. NO. I NO. _____

MAY 2 1997

3 '97 MAY 20 P1:47

DOUGLAS
DISTRICT COURT CLERK

4 BARBARA REED
5 CLERK

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

8
9 In The Matter of The Estate
10 Of
11 RUTH T. WILLIAMS,
12 Deceased.

JUDGMENT AND ORDER SETTLING
SECOND AND FINAL ACCOUNT,
REPORT OF ADMINISTRATOR,
PETITION FOR ALLOWANCE
OF ATTORNEY'S FEES AND COSTS,
FOR ADMINISTRATOR'S FEES,
FOR DISTRIBUTION, FOR DISCHARGE
FROM OATH, AND FOR WINDING UP
OF ESTATE

13 _____ /
14 On April 10, 1997, Ancillary Administrator of the above-
15 entitled estate, BANK OF AMERICA, through its Trust
16 Department, filed its verified Second and Final Account,
17 Report of Administrator, Petition for Allowance of Attorney's
18 Fees and Costs, for Administrator's Commissions, for
19 Distribution and Discharge from Oath and for Winding up of the
20 Estate. The same has come on for hearing this 20th day of
21 May, 1997, before the above-entitled Court. The Court, having
22 reviewed the Account and Report, finds that due notice has
23 been given in conformity with the law and that the
24 beneficiaries under the Decedent's Will have received due
25 notice of this hearing as required by law; no objections
26 having been filed or served; that this Court being fully
27 advised in the premises, further finds:

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1 1. That all allegations contained in the Second and
2 Final Account, Report of Administrator, Petition for Allowance
3 of Attorney's Fees and Costs, for Administrator's Commissions,
4 for Distribution and for Discharge are true.

5 2. That the Decedent, Ruth T. Williams, a resident of
6 Salt Lake City, County of Salt Lake, Utah, died on the 5th day
7 of January, 1987, in Salt Lake City, Utah.

8 3. That the Nevada Ancillary Estate consists of trust
9 funds totalling the sum of \$192,127.02. That, these funds are
10 the sole property remaining for distribution to the primary
11 Utah Estate.

12 4. That, with the exception of attorney's fees and
13 administrator's commissions, all liabilities, have been
14 satisfied.

15 5. That there are no federal, state or local taxes due
16 or payable on account of this estate proceeding.

17 6. That the Decedent, Ruth T. Williams, was an
18 unmarried woman at the time of her death, her husband having
19 predeceased her; that she was a partner in Lion Hill Mines,
20 which owned the property located within the State of Nevada,
21 County of Douglas, consisting of 116.3 acres of land, and
22 which included seven (7) patented mining claims, known as
23 Buckskin Mine Claims.

24 That the disputes and controversies which occurred
25 between ADOLF SCHOEPE, this Ancillary Estate and its
26 representatives, and the corresponding primary Utah Estate's
27 representatives, culminated in the execution of a global
28 settlement agreement; that said agreement fully resolves every

1 difference, claim, lawsuit, litigation, complaint,
2 counterclaim, crossclaim, heretofore filed, pending or which
3 might otherwise have been filed by one or more of the parties
4 to said Settlement Agreement.

5 7. That said estate is in a proper condition to be
6 closed. That there exists no persons or entities who would be
7 adversely affected by said eventual closure, distribution and
8 payment of eventual fees or discharge.

9 8. That distribution as set forth in Decedent's Will
10 should be ordered, subject to the Settlement Agreement, and
11 both Petitioners discharged as co-Administrators and Attorney;
12 that discharge will not be effected until the Administrators
13 file the appropriate receipts and evidences of transfer with
14 the Clerk of this Court.

15 THIS COURT finds good cause for the approval of said
16 Second and Final Account, Report and Petition. NOW,
17 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

18 1. The Second and Final Account and Report of
19 Administrator, for Allowance of Attorney's Fees and Costs, for
20 Administrator's Commissions, for Final Distribution and for
21 Discharge is hereby settled, allowed and approved, as filed.

22 2. All acts and transactions of the Administrator
23 relating to matters set forth in the Account, Report and
24 Petition are hereby confirmed and approved.

25 3. That the Settlement Agreement, attached to the Final
26 Petition and Account as Exhibit "B," is hereby ratified and
27 approved. That, all other pending motions, petitions or
28 documents in this proceeding are rendered entirely moot, all

1 by virtue of the herein mentioned Settlement Agreement.

2 4. That the ancillary administration of this Estate is
3 brought to a close, subject to the Administrator's filing with
4 this Court, appropriate receipts and transfer documents.

5 5. That the Administrator is directed to pay to the law
6 firm of Noel E. Manoukian, Ltd., as attorney's fees and
7 advanced costs, the sum of Six Thousand One Hundred Forty
8 Dollars and Seventy-Five Cents (\$6,140.75).

9 6. That Bank of America, Trust Department, is awarded
10 an additional, periodic and final commission in the sum of
11 Five Thousand Three Hundred Thirty Dollars and Thirty Eight
12 Cents (\$5,330.38).

13 7. That the Estate in the possession of the
14 Administrator for distribution consists of the following
15 property:


16 Trust Estate is valued at \$192,127.02; that, said value
17 is exclusive of the value of the real estate; that, the above
18 described real estate, without the approximate twenty feet
19 (20') of surface realty heretofore transferred by this Estate
20 to Pacific Silver Corporation, likely has an approximate of
21 value of in excess of Twenty Thousand Dollars (\$20,000.00).

22 8. That, upon entry of this Order, and the recording of
23 the certified copy hereof in the Official Records of the
24 Douglas County Recorder, the Administrator hereof shall by
25 Quitclaim Deed, transfer to Adolf Schoepe, individually, all
26 right, title and interest which Estate asserts in and to the
27 property known as the Buckskin Claims as described therein, as
28 well as any and all rights, title and interest which the

1 Estate has or may claim to have in any proceeds that may be
2 realized from the future sale, lease, option or other
3 disposition of those claims or any interest therein, including
4 the Buckskin Claims acquired by James and Ruth Williams on
5 behalf of the Lion Hill Mines Partnership, excepting only that
6 portion commonly referred to as the Buckskin Mill Site and
7 conveyed to Pacific Silver Corporation by Deed executed by the
8 Estate in 1988.


9 9. That, after payment of the attorney's fees and
10 costs, administrator's commissions and any other costs, and
11 after any adjustments of income held by Bank of America and
12 Adolph Schoepe, the net amount of any monies belonging to this
13 Ancillary Estate shall be distributed to the First Security
14 Bank of Utah, N.A., Personal Representative, for the
15 appropriate payments to Adolf Schoepe, or his nominee(s), and
16 to the two (2) charitable beneficiaries, i.e., the Shriners
17 Hospitals for Crippled Children and the Salvation Army as set
18 forth in Decedent's Will.

19 DATED this 20th day of May, 1997.

20
21 
22 _____
DISTRICT JUDGE

23 Submitted By:

24 NOEL E. MANOUKIAN, LTD.

25 
26 _____
27 Noel E. Manoukian, Esq.
1466 Highway 395
Gardnerville, Nevada 89410

28 Attorneys for the Ancillary Estate
of Ruth T. Williams, Deceased

COPIES

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.

SEAL

DATE: May 20, 1997
By B. Paul Clerk of the District Court
of the State of Nevada, in and for the County of Douglas,

By Heppell Deputy

REQUESTED BY
Noel E. Manoutian
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

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LINDA SLATER
RECORDER
\$ 12.00 PAID k2 DEPUTY