

✓ Sydney Foster.
PO Box 1447
Minden, NV 89423

Case No. 98-PB-0014 FILED
Dept. No. 2 NO _____

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DISTRICT COURT CLERK

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BARBARA REED
CLERK

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

In the Matter of the
Estate of:

**ORDER SETTLING FIRST AND FINAL
ACCOUNT AND DECREE OF DISTRIBUTION**

EDWARD W. FOSTER,
Deceased.

PAUL FOSTER and FIRST OF AMERICA BANK-MICHIGAN, Co-
Administrators of the estate of EDWARD W. FOSTER, deceased,
having rendered and filed on the 15th day of January, 1999,
their FIRST AND FINAL ACCOUNTING, REPORT OF ADMINISTRATORS AND
PETITION FOR FINAL DISTRIBUTION AND FOR ALLOWANCE OF FEES AND
COMMISSIONS, and the said account and petition having come on
regularly to be heard before the Court, and proof having been
made to the satisfaction of the Court that notice of said
account and hearing on the PETITION FOR DISTRIBUTION has been
given in the manner and for the time required by law, the Court
finds:

1. That the said account is in all respects true and correct;
2. That due and legal notice to creditors of said estate

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1 has been given in the manner and for the time required by law;

2 3. That all claims and debts against said decedent and
3 against said estate, and all debts, expenses and charges of
4 administration have been fully paid and discharged, and there
5 are no federal estate taxes due from the estate or personal
6 property taxes due and payable by the estate, and that said
7 estate is ready for distribution and now is in a condition to be
8 closed; that the Co-Administrators have waived their statutory
9 commissions and no attorney fees are due and owing relative to
10 representation for the estate;

11 4. That the whole of said estate was the separate property
12 of the decedent;

13 5. That under the terms and provisions of the Last Will
14 and Testament of the decedent, the decedent devised and
15 bequeathed his property as follows:

16 "I presently have an apartment house in Gardenville,
17 Nevada. This has been an investment which I have had
18 with my brother, Sydney. It is possible that that
19 apartment house may be disposed of, by either being
20 sold or traded in on another investment. I give,
21 devise, and bequeath such apartment house, or in the
22 event it is sold or traded-in on another investment,
23 then such proceeds from the sale or investment which
24 has been substituted therefor, unto my brother, Sydney,
25 unto him and his heirs forever. I specifically want
26 that apartment house, or the investment proceeds there-
27 from, to go to Sydney, as he has been the one that has
28 helped me with it to get this investment and he has
29 been working on it and handling it with me over the
30 years."

31 That all persons having claims against said estate have had
32 due and proper notice of these proceedings;

33 6. That, accordingly, the sole asset of this ancillary
34 probate proceeding, namely the apartment house located at 1363

1 Apollo Avenue, Gardnerville, Nevada should be distributed as
2 follows: to Sydney H. Foster, in fee simple absolute.

3
4 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

5 a. That the First and Final Accounting, Report of Co-
6 Administrators and Petition for Distribution, be, and the same
7 is hereby, approved, allowed and settled and that the facts,
8 accounts and matters alleged and reported therein are true,
9 complete and correct records of the administration of said
10 estate;

11 b. That the residue of the estate of the decedent, being
12 more particularly described as follows:

13 All that certain Real Property situate in the County of
14 DOUGLAS, State of Nevada and more particularly described
as follows:

15 PARCEL NO. 1:

16 Lots 6, 7, 8, 9, 10, 11, 12, 13 and 14 in Block C,
17 of VALLEY VILLA SUBDIVISION, according to the official
18 map filed in the office of the Recorder of Douglas
19 County, State of Nevada on October 19, 1979 in Book
20 1079 at Page 1711 as Document No. 37990, Official
Records.

21 PARCEL NO. 2:

22 All that portion of the "Common Area" as delineated on
23 VALLEY VILLA SUBDIVISION, according to the map thereof,
filed in the office of the County Recorder of Douglas
County, Nevada on October 19, 1979, described as follows:

24 COMMENCING at the Northeast corner of said subdivision,
25 thence South 89 44' 36" West, 1.56 feet; thence North
26 35 33' 00" West 118.73 feet to a point on a curve
27 concave to the North and having a radius of 465 feet,
28 a radial line running through said point bears North
00 23' 50" West; thence Westerly along said curve,
through a central angle of 6 59' 43" a distance of
56.77 feet to the Point of Beginning; thence South

1 00 18' 53" East, 35.55 feet; thence South 49 21' 12"
2 East, 75 feet; thence South 00 18' 53" East, 60
3 feet; thence South 40 38' 48" West, 82.90 feet; thence
4 North 53 06' 21" West, 103.21 feet; thence South 78
5 55' 40" West, 53.65 feet; thence North 11 04' 20"
6 West, 91.35 feet to a point on the Southerly line of
7 Apollo Avenue, 50 feet wide, said point being a curve,
8 having a radius of 245 feet and being concave to the
9 Northwest, a radial line running through said point
10 bears North 35 11' 37" West; thence Northeasterly
11 along said curve through a central angle of 21 48'
12 23" an arc distance of 93.24 feet; thence North 33
13 00' 00" East, 16.25 feet to a point of intersection
14 with the Northerly line of said subdivision, said
15 point being on a curve concave to the North and having
16 a radius of 465 feet, a radial line running through
17 said point bears North 16 15' 33" East; thence Easterly
18 along said curve, through a central angle of 9 39'
19 40" an arc distance of 78.36 feet to the Point of
20 Beginning.

21 EXCEPTING THEREFROM, Lots 6, 7, 8, 9, 10, 11, 12,
22 13 and 14 in Block C, said VALLEY VISTA SUBDIVISION.

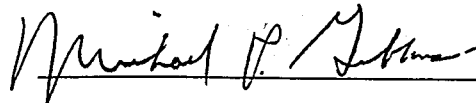
23 Said Parcel is being identified as (not a part) Lot
24 A-1 in Block C of the Amended Plat of VALLEY VISTA
25 SUBDIVISION, excepting therefrom Lots 6 through 14,
26 inclusive, in said Block C, and subject to a driveway
27 and access easement 25 feet in width as delineated on
28 said Amended Plat, together with any and all property
unknown or undiscovered or hereinafter discovered.

is distributed as follows:

To Sydney H. Foster, in fee simple absolute.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon
filing of the appropriate receipts, said Co-Administrators shall
be discharged of their trust and said estate shall be closed.

Dated this 1 day of February, 1999.



DISTRICT JUDGE

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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: February 1, 1999
B. Reel Clerk of the 9th Judicial District Court
of the State of Nevada, In and for the County of Douglas,

By Thoppell Deputy

SEAL

REQUESTED BY
William Heckman
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

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LINDA SLATER
RECORDER

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