

1 Case No. 97-PB-0086

2 Department No. 1

NO

'98 NOV 24 F1:35

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NOV 24 1998

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

12	In the Matter of the Estate of,)	ORDER SETTLING FIRST AND FINAL
13	Daniel C. Fry,)	ACCOUNT OF EXECUTOR, ALLOWING
14	Deceased,)	FEEES AND JUDGMENT OF FINAL
15)	DISTRIBUTION

16 Petitioner, Lawrence James Fry, executor of the estate of
17 Daniel C. Fry, deceased, has filed his First and Final Account and
18 Petition for Fees and for Distribution. The Petition was heard on
19 November 24, 1998. The Court, after consideration of the verified
20 petition, finds:

21 1. That notice of the hearing has been given in the manner
22 required by law;

23 2. That the First and Final Account and Petition for Fees and
24 for Distribution filed November 6, 1998 is in all respects true and
25 correct and the allegations of the petition are true.

26 3. That notice to creditors has been given in the manner
27 prescribed by law.

28 4. That no claims have been filed against the estate.

1 5. That the executor has performed services in the
2 administration of the estate for which he is entitled to a
3 commission of \$21,302 as fixed by statute and further allowance of
4 \$29,000 is reasonable and just compensation for extraordinary
5 services rendered by the executor.

6 6. That Lester H. Berkson has rendered legal services to the
7 Petitioner and the estate for which a reasonable fee is \$8,750; and
8 that Clare Golnick, of Clare Golnick Professional Corporation has
9 rendered legal services to the Petitioner and the estate for which a
10 reasonable fee is \$7,000.

11 7. That the real property known as 706 Fall Street, Carson
12 City, Nevada, and shown as item 2 on the inventory and appraisal,
13 and more particularly described as:

14 The South 28 feet of Lot 4, all of Lot 5 and the North 23 Feet
15 of Lot 8 in Block 11 of Pierson and Goodridge Division in
16 Carson City, Ormsby County, Nevada

17 Together with an order vacating and abandoning a public right of
18 way (alley), by document recorded October 5, 1986, official
records of Carson City, Nevada as Document No. 50621.

19 is the property of Petitioner, as trustee of the K Fry Trust dated
20 February 18, 1991.

21 8. That Petitioner has distributed the jewelry, clothing,
22 household furniture and furnishings, collections, family
23 memorabilia, personal automobiles, and other tangible articles of a
24 personal nature" to the surviving children of the decedent in
25 accordance with the terms of the decedent's will.

26 9. That, under the terms of decedent's will, the residue of
27 the estate is to be distributed to the Petitioner as trustee of the
28 Fry D Trust dated January 15, 1991, to be held and distributed

1 pursuant to the terms of the declaration of trust and amendments
2 thereto.

3 10. That the Executor has joined in the filing of a wrongful
4 death claim against the driver of the vehicle and his employer
5 causing the death of Daniel C. Fry and is authorized to pursue said
6 claim.

7 11. That adequate provision has been made for the payment of
8 the Nevada and federal estate taxes.

9 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

10 1. That the accounting firm of Freeman and Williams is
11 approved and that vouchers shall not be required pursuant to NRS
12 §150.150(3)

13 2. That the first and final account of Petitioner, as executor
14 of the estate, is settled, allowed, and approved as filed.

15 3. That the real property described as:

16 The South 28 feet of Lot 4, all of Lot 5 and the North 23 Feet
17 of Lot 8 in Block 11 of Pierson and Goodridge Division in
18 Carson City, Ormsby County, Nevada

19 Together with an order vacating and abandoning a public right of
20 way (alley), by document recorded October 5, 1986, official
21 records of Carson City, Nevada as Document No. 50621.

22 is the property of Lawrence J. Fry, as trustee of the K Fry Trust
23 dated February 18, 1991 and the executor is authorized and directed
24 to convey legal title to said trustee.

25 4. That Petitioner is authorized to pay himself the sum of
26 \$21,302 as the statutory commission and \$29,000 as a commission for
27 extraordinary services.

28 5. That Petitioner is authorized to pay \$8,750 to Lester H.
Berkson and \$7,000 to Clare Golnick Professional Corporation for

1 attorney fees.

2 6. That the balance of the estate be distributed to Petitioner
3 as trustee of the Fry-D Trust dated January 15, 1991.

4 7. That the administration of the estate be continued until
5 the resolution of the wrongful death claim on behalf of the
6 deceased, Daniel C. Fry brought by the executor.

7
8 Dated: November 24, 1998

David G. ...
District Court Judge

COPIES

25 **CERTIFIED COPY**

26 This 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: 10/31/00
B. Reed
Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

By: *B. Reed*
Deputy - 4 - 0503305

REQUESTED BY
STEWART TITLE of DOUGLAS COUNTY
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2000 NOV 15 AM 10:15

LINDA SLATER
RECORDER

\$10.⁰⁰ PAID *Rg* DEPUTY

BK 1100PG2673