

New APN: 1318-26-512-003

Assessor's Parcel Number: 07-223-13

Recording Requested By:

Name: Lynne K Simonis

Address: Woodburn and Weelge
PO Box 2311

City/State/Zip Reno, NV 89505

Real Property Transfer Tax: N/A

REQUESTED BY
Woodburn & Weelge
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2003 DEC 30 PM 1:53

WERNER CHRISTEN
RECORDER

\$19⁰⁰ PAID TS DEPUTY

Order Approving and Confirming First and Final
Report of Personal Representative; Waiving Accounting;
Approving Administrative Costs and Fees; and Ordering Final
Distribution
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

This cover page must be typed or legibly hand printed.

C:\bc docs\Cover page for recording

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BK1203PG13231

Recorded at the request of
and when recorded return to:

Lynne K. Simons
WOODBURN AND WEDGE
P.O. Box 2311
Reno, NV 89505

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Case No. 03 PB 0066

Dept. No. 1

2003 DEC 30 PM 1:37

B. Williams

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

IN THE MATTER OF THE ESTATE OF)
PIERCE EDWARD TULLY,)
Deceased.)

**ORDER APPROVING AND CONFIRMING FIRST AND
FINAL REPORT OF PERSONAL REPRESENTATIVE;
WAIVING ACCOUNTING; APPROVING
ADMINISTRATIVE COSTS AND FEES;
AND ORDERING FINAL DISTRIBUTION**

The Court having reviewed the First and Final Report of Personal Representative; Petition to Waive Accounting; Petition for Confirmation; Application for Order Directing Payment of Administrative Fees and Costs; and Petition for Final Distribution, in which the Personal Representative requests an order approving and confirming his first and final report, waiving accounting, approving payment of administrative fees and costs, and ordering final distribution, it appearing that notice of the hearing having been given according to law, this matter having been set for hearing on December 30, 2003, this matter having come before the Court for hearing on said date, the Court having examined the Personal Representative's papers, having considered the representations of counsel and the entire file herein, and good cause appearing thereto, the Court finds:

1. Pierce Edward Tully died on April 3, 2002, in Boulder County, Colorado.
2. The Decedent left a duly executed Last Will and Testament dated April 25,

1 1992, a First Codicil to Last Will and Testament dated June 2, 1993, a Second Codicil to
2 Last Will and Testament dated May 9, 1995, and a Second [sic] Codicil to Last Will and
3 Testament dated January 8, 1997. The Decedent's Will and Codicils were admitted to
4 probate on August 5, 2003.

5
6 3. Letters Testamentary were issued to Griffeth E. Tully on August 5, 2003.

7 4. Notice to Creditors of the Decedent's estate was duly published in the
8 Record Courier according to law. Proof of publication is on file herein. The claim period
9 expired and no Claims were filed against the Estate.

10 5. On October 29, 2003, Petitioner filed the Inventory, Appraisalment and
11 Record of Value showing a net inventory value of \$500,000, consisting of real and
12 personal property.

13
14 6. Pursuant to NRS 150.075, the Estate's sole beneficiary waived an
15 accounting in this matter and a signed Waiver of Accounting was filed with the Court.

16 7. Petitioner rendered all services necessary as the personal representative of
17 the Decedent's estate and is entitled to a commission at the statutory rate set forth in
18 NRS 150.020. Petitioner waived any and all fees to which he is entitled.

19
20 8. Woodburn and Wedge rendered all legal services as attorneys for the
21 Personal Representative in this matter. Petitioner and Woodburn and Wedge agreed
22 that Woodburn and Wedge would charge its usual and customary hourly rates, plus
23 actual costs incurred in this matter. The fee arrangement between Petitioner and
24 Woodburn and Wedge and the fees requested in the amount of \$6,180.00, plus
25 reimbursement for costs incurred in the amount of \$961.01, for a total of \$7,141.01, plus
26 an additional amount of \$1,000 in fees and costs to close the Estate, should be approved.

27
28 The Trustee of the Trust will pay the attorneys' fees and costs.

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9. This estate is a condition to close and all assets distributed.

10. Article II, Paragraph B, of the Decedent's Will provides that the residue of the Decedent's Estate be distributed to the Successor Trustee of the Pierce E. Tully and Dorothy A. Tully Declaration of Trust dated November 30, 1990.

Based on the foregoing findings of fact:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. The First and Final Report in the above matter is settled, allowed, approved and confirmed.

2. The sole beneficiary's Waiver of Accounting pursuant to NRS 150.075 is approved and confirmed and an accounting is waived by the Court.

3. The Personal Representative used reasonable diligence in his administration and all actions taken by the Personal Representative are hereby approved and confirmed.

4. The fee agreement between the Personal Representative and Woodburn and Wedge is approved. The Successor Trustee of the Tully Trust is ordered to pay the attorneys' fees and costs.

5. The Personal Representative is authorized and directed to distribute to Griffeth E. Tully, Successor Trustee of the Pierce E. Tully and Dorothy A. Tully Declaration of Trust dated November 30, 1990, to be held, administered and distributed in accordance with the Declaration of Trust, all of the Estate assets in his custody and control, including the following:

A. A single family residence located at 164 Hall Court, Stateline, Douglas County, Nevada; more particularly described as:

Lot 3, in Block A, as shown on the Official Map of KINGSBURY HEIGHTS SUBDIVISION, filed for record in the Office of the

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County Recorder of Douglas County, State of Nevada, on August 5, 1959, as Document No. 14738. [APN 07-223-13]

B. Partnership interest consisting of a one-half unit interest [or 1.65%] in McCullough Avenue Associates, a Texas limited partnership.

C. Household furniture, fixtures and furnishings located in Stateline, Nevada residence.

D Clothing, jewelry and miscellaneous personal property

6. Any other property of the Estate not now known or discovered that may belong to the Estate or in which the Estate may have any interest shall be distributed to Griffeth E. Tully, Successor Trustee of the Pierce E. Tully and Dorothy A. Tully Declaration of Trust dated November 30, 1990, to be held, administered and distributed in accordance with the Declaration of Trust.

DATED this 30th day of December, 2003.



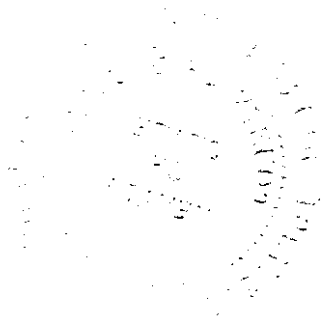
DISTRICT JUDGE

Submitted by:
WOODBURN AND WEDGE

By 
LYNNE K. SIMONS

Mail Tax Statements to Grantee:

Griffeth E. Tully, Trustee
4485 Hillsborough Drive
Castro Valley, CA 94546



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BK 1203 PG 13235

COPY

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:

DEC 30, 2003

50AL

B. Reed Clerk of the 10th Judicial District Court of the State of Nevada, in and for the County of Douglas,

By:

[Signature]

Deputy

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