

185-230

Filed OCTOBER 1, 1973
10:01 A.M.

No. 3276

NEIL B. JENSEN, Clerk

By VIOLA BRADEN, Deputy

Raymond T. Senior
John S. Kirkham
SENIOR & SENIOR
622 Newhouse Building
10 Exchange Place
Salt Lake City, Utah 84111
HARRY M. WATSON
Ely, Nevada
STEWART & HORTON, LTD.
100 North Arlington, Suite 300
Reno, Nevada 89501
Attorneys

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR WHITE PINE COUNTY

IN THE MATTER OF THE)
ESTATE OF BURTON H. ROBISON,) ORDER OF PARTIAL DISTRIBUTION
also known as B. H. ROBISON,)
Deceased.)

The verified petition of Reed Robison, Leonard Robison and Pioneer Citizens Bank of Nevada, Co-Executors of the Estate of Burton H. Robison, also known as B. H. Robison, deceased, heretofore filed in this matter praying for partial distribution of said Estate coming on regularly this day to be heard and proof being made that due notice has been given to all interested persons according to law of the time and place of the hearing of said petition, and no person appearing to contest or object to said petition; and it being made to appear:

That Burton H. Robison died testate on March 28, 1972, at Ely, White Pine County, Nevada; that the decedent was a resident of White Pine County, Nevada, at the time of his death and left an estate within the jurisdiction of this Court consisting of real and personal property; that decedent's Last Will and Testament dated March 3, 1951, and amendatory codicil of February 25, 1954, were admitted to probate by this Court on May 16, 1972;

That petitioners were duly appointed Co-Executors of said Will by order of this Court dated May 16, 1972; that said

1 Co-Executors having qualified as such were issued Letters Testa-
2 mentary dated May 16, 1972; that said Letters Testamentary have
3 never been revoked and are in full force and effect;

4 That more than three months time has elapsed since the is-
5 suance of Letters Testamentary;

6 That petitioners have hereto filed with Internal Revenue
7 Service the Estate Tax Return of the Estate and have paid the
8 Federal Estate Taxes as determined by the return; that cash in
9 the Estate, together with the sum of \$196,727.14 advanced by Reed
10 Robison, Co-Executor and a legatee and devisee under said Will,
11 were used to pay and discharge said Estate Tax obligation amount-
12 ing to \$241,157.86;

13 That no claims were filed against the Estate and there are
14 no unpaid debts of the decedent;

15 That the decedent, Burton H. Robison, and Loyd Sorensen, of
16 Elko, Nevada, were equal partners in a sheep ranching partnership
17 prior to the death of Burton H. Robison, hereinafter referred to
18 as the "partnership";

19 That petitioners and Loyd Sorensen reached an agreement dated
20 April 1, 1973, by which petitioners exchanged the interest of the
21 Estate in the partnership for the real and personal property
22 assets hereinafter described and settled a suit filed against the
23 Co-Executors;

24 That said Agreement dated April 1, 1973, was authorized, con-
25 firmed and approved by Order of this Court dated September 6, 1973;

26 That the real and personal property hereinafter described is
27 now held in the Estate and is subject to distribution by this
28 Court pursuant to the provisions of Nevada Revised Statutes, Sec-
29 tions 151.010, et seq.;

30 That Fern L. Robison of Ely, White Pine County, Nevada, mar-
31 ried the decedent, Burton H. Robison, on April 28, 1926; that this
32 marriage continued to date of decedent's death on March 28, 1972;

1 that the interest of decedent in said partnership was property
2 acquired by the decedent after marriage and is community property
3 and the property received in exchange for the partnership in-
4 terest is community property;

5 That under the provisions of Nevada Revised Statutes, Sec-
6 tions 123.250 and 134.010, one-half of the community property be-
7 longs to the surviving wife upon the death of her husband;

8 That under the provisions of Nevada Revised Statutes, Sec-
9 tion 123.250, the other half of the community property is subject
10 to the testamentary disposition of the decedent;

11 That the community property interest of Fern L. Robison in
12 the hereinafter described property fully satisfies the bequest to
13 her contained in paragraph "Fifth" of said Will insofar as the
14 described property is concerned;

15 That the remaining fifty percent (50%) interest in the prop-
16 erty hereinafter described is subject to distribution under the
17 provisions of paragraph "Sixth" of said Will which provides in
18 pertinent parts as follows:

19 "SIXTH: All the rest, residue and remainder of
20 my estate, real, personal and mixed, and wheresoever
21 situated I hereby give, devise and bequeath to said
22 First National Bank of Ely, Nevada, and its successor,
and to Doyle Robison, as Trustees, to be administered
and disposed of as follows:

23 "(A) My said Trustees shall divide said residuary
24 estate into three equal parts, as far as
25 practicable, of the same kind and character
to be known respectively as Residuary Trusts
A, B, and C.

26 "(b) Residuary Trust "A" estate shall be held in
27 trust for the use and benefit of my son Reed
B. Robison.

28 "(C) Residuary Trust "B" estate shall be held in
29 trust for the use and benefit of my daughter
Donna Mae Christiansen.

30 "(D) Residuary Trust "C" estate shall be held in
31 trust for the use and benefit of my daughter
Carroll Robison.

32 *****

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

"(I) Residuary Trust "A" estate shall be held in trust until my said son, Reed B. Robison, shall have reached the age of 26 years, at which time, or as soon thereafter as practicable, the Trustees shall distribute the then remaining principal and the accrued income, if any, of such trust estate to him.

"(J) Residuary Trust "B" estate shall be held in trust until my said daughter Donna Mae Christiansen shall have reached the age of 26 years, at which time, or as soon thereafter as practicable, the Trustees shall distribute the then remaining principal and accrued income, if any, of such trust estate to her.

"(K) Residuary Trust "C" estate shall be held in trust until my said daughter, Carroll Robison, shall have reached the age of 26 years at which time or as soon thereafter as practicable, the Trustees shall distribute the then remaining principal and the accrued income, if any, of such trust estate to her."

That the individuals named as beneficiaries of Residuary Trusts A, B and C, namely, Reed B. Robison, Donna Mae Christiansen and Carroll Robison, also known as Karol Robison Garrett, were also over the age of 26 on the date of death of the decedent and are entitled to distribution directly without the need for the establishment of the three Residuary Trusts;

That excluding the property hereinafter described, there remains in the Estate property having a value in excess of \$600,000 which is ample to pay advances, unpaid expenses of administration and all other indebtedness of the Estate;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all that certain real and personal property situate in the County of Elko, State of Nevada, more particularly described as follows, to-wit:

Township 32 North, Range 58 East, MDB&M

- Section 1: All
- Section 3: All
- Section 5: N $\frac{1}{2}$; SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$;
SW $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 9: All
- Section 15: N $\frac{1}{2}$; SW $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$;
SW $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Less
County road r/w-
45.37 acres)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Township 32 North, Range 58 East, MDB&M (Cont.)

Section 7: All
Section 11: All
Section 13: All
Section 17: All
Section 19: All
Section 21: N $\frac{1}{2}$

Township 33 North, Range 58 East, MDB&M

Section 1: All
Section 2: E $\frac{1}{2}$; SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$
Lots 3 and 4 (Less
one acre to Western
Union)
Section 3: E $\frac{1}{2}$; E $\frac{1}{2}$ W $\frac{1}{2}$
Section 10: E $\frac{1}{2}$
Section 11: All
Section 12: W $\frac{1}{2}$
Section 13: All
Section 14: All
Section 23: All
Section 25: All
Section 26: NW $\frac{1}{4}$
Section 35: All

Township 34 North, Range 58 East, MDB&M

Section 13: SW $\frac{1}{4}$
Section 23: All
Section 25: W $\frac{1}{2}$
Section 26: SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; N $\frac{1}{2}$; S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 27: E $\frac{1}{2}$
Section 34: SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 35: All
Section 36: W $\frac{1}{2}$ NW $\frac{1}{4}$

Township 33 North, Range 59 East, MDB&M

Section 5: All
Section 7: E $\frac{1}{2}$; Lots 1, 2, 3, 4
Section 9: Lots 1, 2, 3, 4; W $\frac{1}{2}$
Section 17: N $\frac{1}{2}$; SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$;
NE $\frac{1}{4}$ SE $\frac{1}{4}$; Lot 2
Section 19: NW $\frac{1}{4}$ SE $\frac{1}{4}$; Lots 1, 2,
3, 4, 5, 6; NE $\frac{1}{4}$

Township 34 North, Range 59 East, MDB&M

Section 33: S $\frac{1}{2}$

Township 28 North, Range 60 East, MDB&M

Section 5: N $\frac{1}{2}$ NW $\frac{1}{4}$

Township 29 North, Range 60 East, MDB&M

Section 30: SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 31: E $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$;
SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 32: S $\frac{1}{2}$ SW $\frac{1}{4}$

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Township 28 North, Range 61 East, MDB&M

Section 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 2: E $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12: N $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;
W $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$

Township 29 North, Range 63 East, MDB&M

Section 35: NE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 36: N $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 29 North, Range 65 East, MDB&M

Section 13: W $\frac{1}{2}$ NW $\frac{1}{4}$

Township 28 North, Range 67 East, MDB&M

Section 9: All

Township 34 North, Range 67 East, MDB&M

Section 7: W $\frac{1}{2}$ W $\frac{1}{2}$ (that portion
West of Nevada
Northern Railroad)

Township 35 North, Range 67 East, MDB&M

Section 1: All
Section 3: All
Section 5: All
Section 7: All
Section 9: All
Section 11: All, except S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 15: All
Section 17: All (Less 12.9 acres
highway R/W)
Section 19: All
Section 21: All
Section 23: All
Section 27: All
Section 29: All
Section 31: All

Township 36 North, Range 67 East, MDB&M

Section 17: All
Section 21: All
Section 27: All
Section 29: All
Section 33: All
Section 35: All (Less 19.527
acres highway R/W)

TOGETHER WITH all improvements situate
thereon or used in connection therewith;

TOGETHER WITH all water, water rights,
rights to the use of water, dams, ditches,
canals, pipe lines, reservoirs and all
other means for the diversion or use of
waters appurtenant to the said property
or any part thereof, or used or enjoyed

1 in connection therewith, and together with
2 all stockwatering rights used or enjoyed
3 in connection with the use of any of said
4 lands;

5 TOGETHER WITH the Federal Forest grazing
6 privileges for 2,721 sheep in the Humboldt
7 National Forest, being one-half of the
8 forest privileges held by the Robison-
9 Sorensen partnership;

10 TOGETHER WITH the Federal grazing privileges
11 in the total amount of 139 AUMs non use and
12 14,974 AUMs active use, being one-half of
13 the AUMs formerly held by the Robison-
14 Sorensen partnership;

15 TOGETHER WITH the following livestock:

16 650 yearling sheep
17 3,950 ewes
18 75 bucks
19 9 horses and mules

20 TOGETHER WITH the Turkey Track sheep brand
21 (Υ) and the L A livestock brand.

22 TOGETHER WITH the following other personal
23 property:

24 1 - 1962 GMC 2-ton truck
25 1 - 1963 GMC 2-ton truck
26 1 - 1969 Ford 3/4-ton truck
27 1 - Case farm tractor
28 1 - 1020 John Deere farm tractor
29 1 - D4 Caterpillar tractor

30 be and the same is hereby distributed as follows:

31 Fern L. Robison 1/2 interest
32 Reed B. Robison 1/6 interest
Donna Mae Christiansen 1/6 interest
Karol Robison Garrett, 1/6 interest
also known as Carroll Robison

and no bond is required.

Dated this 1st day of October, 1973.

151 ROSCOE H. WILKES
District Judge

File # 78658

FILED FOR RECORD
AT REQUEST OF *First American Title Co of Nev*

Oct 10 4 19 PM '13

RECORDED BOOK ¹⁸⁵ PAGE ²³⁰
ESTHER N. SAELTON
ELKO COUNTY RECORDER

Fee \$10.00

OFFICE OF

County Clerk and Ex-Officio Clerk
of the Seventh Judicial District Court

in and for

White Pine County, Nevada

STATE OF NEVADA, }
COUNTY OF WHITE PINE, } ss.

I,NEIL B. JENSEN....., County Clerk
and ex-officio Clerk of the Seventh Judicial District Court of the State
of Nevada, County of White Pine, do hereby certify that the above and
foregoing is a full, correct and true copy of the original.....

....."ORDER FOR PARTIAL DISTRIBUTION".....

.....IN THE MATTER OF THE.....
.....ESTATE OF BURTON H. ROBISON.....
.....also known as B. H. ROBISON.....
.....Deceased.....

.....File No.:..... 3276.....
.....Filed:..... October 1, 1973.....

which now remains of record in my office at Ely, County and State
aforesaid.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed the Seal of said Court, at my office in the City of Ely, this
.....FIRST..... day of.....OCTOBER....., A.D. 1973.....

.....NEIL B. JENSEN..... County Clerk
And Ex-Officio Clerk of Said Court

By *Evila Braden*..... Deputy Clerk



78658