

Send notice - to

Randi C. Nelson and Sterling D. Nelson  
557 West Pinewood Drive  
Cedar City, Utah 84720  
801-586-6200

Durham Morris  
Attorney For Estate  
172 North Main Street  
Cedar City, Utah 84720  
Telephone: 586-8391

262686

IN THE FIFTH JUDICIAL DISTRICT COURT OF WASHINGTON COUNTY, STATE OF UTAH

-----  
In the Matter of the Estate of : DECREE OF FINAL DISTRIBUTION  
DAWN GRAFF SETZER, Deceased. : Probate No. 2528  
-----

This matter came on for hearing before this Court at St. George, Utah, on the 11<sup>th</sup> day of June, 1984, upon the Petition of Emil J. Graff, Personal Representative of the estate of Dawn G. Setzer, deceased, heretofore filed herein praying for a Decree of Final Distribution of all property and assets now belonging to the estate of said deceased, and it appearing to the Court that due and legal notice has been given of the time and place of the hearing of said Petition, and that no protests or objections have been filed or made to the granting of said Petition, and that the time for filing protests or objections has expired; and it appearing to the Court that due and legal notice to the creditors of said deceased has been given in the manner and for the length of time required by law, and that a Decree establishing that due and legal notice to such creditors has been given, has been made and filed herein; and it appearing further to the Court that all of the expenses of the last illness and funeral and burial of said deceased, and all of the costs and expenses of administration of the estate of said deceased, and all of the Estate Taxes which were due from the estate of said deceased to the United States Government have been fully paid; that said estate is not subject to the payment of any inheritance

262686

taxes to the State of Utah; and it appearing further that all of the taxes which have been levied and assessed against the property belonging to said estate have been fully paid; and it further appearing to the Court that the names of the heirs at law of said deceased, and of the beneficiaries named in the Last Will and Testament of said deceased, together with their respective addresses and relationships to said deceased are as follows:

<u>Name:</u>	<u>Relationship to said Deceased:</u>	<u>Address:</u>
Jane S. Nelson	Major Daughter and Beneficiary named in Will	557 West Pinewood Drive Cedar City, Utah 84720
Richard W. Nelson	Major Son-in-law and Beneficiary named in Will	557 West Pinewood Drive Cedar City, Utah 84720
Randi Carroll Nelson	Major Granddaughter, 19 years of age, and Beneficiary named in Will	557 West Pinewood Drive Cedar City, Utah 84720
Sterling D. Nelson	Major Grandson, 18 years of age and Beneficiary named in Will	557 West Pinewood Drive Cedar City, Utah 84720

It further appearing to the Court that said Personal Representative of said estate has made and caused to be filed herein a First and Final Account and Report of his administration of said estate, which said First and Final Account and Report has been allowed and approved by this Court; and it further appearing that the property and cash now belonging to the estate of said deceased on hand for distribution is the property and cash designated in paragraph No. 6 of the said Petition For Final Distribution on file herein as being on hand for distribution and hereinafter described and distributed; and it further appearing to the Court that said deceased left a Last Will and Testament, which has heretofore been admitted to probate in this Court; that by the terms of which said Last Will and Testament said deceased did give and bequeath

262686

unto her beloved daughter, Jane S. Nelson, the sum of \$5,000.00 in cash, and did give and bequeath unto her beloved son-in-law, Richard W. Nelson, the sum of \$1,000.00 in cash, and that she did give, devise and bequeath unto her two beloved grandchildren, Randi Carroll Nelson and Sterling D. Nelson, all of the rest, residue and remainder of her property and assets which she owned at the time of her death, and to which she shall be entitled at the time of her death, and which remains after the said bequests to her beloved daughter, Jane S. Nelson, and to her beloved son-in-law, Richard W. Nelson, have been fulfilled, and after all of her just debts and funeral expenses, and all other financial obligations of her estate have been paid, they to take share and share alike. The Court finds that all property, cash and assets which now remain in said estate for distribution should be distributed in accordance with the terms and provisions of said Last Will and Testament, and as hereinafter set forth and provided for, and that said estate is now in a condition to be closed.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all of the property, assets and cash now belonging to the estate of said Dawn G. Setzer, deceased, BE AND THE SAME IS HEREBY DISTRIBUTED to the said beneficiaries named in the said Last Will and Testament of said deceased as follows:

TO JANE S. NELSON the sum of \$5,000.00 in cash.

TO RICHARD W. NELSON the sum of \$1,000.00 in cash.

TO RANDI CARROLL NELSON, the sum of \$5,144.57 in cash.

TO STERLING D. NELSON, the sum of \$5,144.57 in cash.

TO RANDI CARROLL NELSON AND TO STERLING D. NELSON, as tenants in common, the following described real property situated in Washington County, Utah:

750

Parcel 1: Commencing at the Northwest corner of Lot 80, LaVerkin Townsite & Field Survey; thence N 89°46'00" E along the North line of said Lot 80, a distance of 57.68 feet; thence S 18°08'25" E 253.91 feet; thence S 17°37'43" E 115.60 feet to Point of Beginning; thence N 89°50'25" E 57.06 feet; thence S 46°27'00" E 27.60 feet; thence S 18°03'30" E 77.41 feet to the North right-of-way line of Utah Highway SR-15; thence S 89°50'25" W 5.88 feet along said right-of-way; thence S 0°09'35" E 10.00 feet along said right-of-way; thence S 89°50'25" W 57.64 feet along said right-of-way; thence N 17°37'43" W 114.94 feet to the Point of Beginning, containing 0.184 acres, more or less.

Parcel 2: The Northwest quarter of the Southeast quarter of Section 26, Township 41 South, Range 13 West, Salt Lake Meridian, containing 40 acres, more or less.

Parcel 3: The West half of the Northwest quarter of the Northwest quarter of Section 34, Township 41 South, Range 13 West, Salt Lake Meridian, containing 20 acres, more or less.

Parcel 4: Beginning at a point 21 rods West of the Southeast corner of the Southeast quarter of the Northwest quarter of Section 34, Township 41 South, Range 13 West, Salt Lake Meridian, and running thence North 28 rods; thence 20° North of West 31 rods 7 feet; thence 15° West of South 41 rods 7 feet; thence East 47 rods 10 feet, to the place of beginning, containing 8.4 acres, more or less.

Parcel 5: The South half of the Southeast quarter of Section 20, Township 42 South, Range 11 West, Salt Lake Meridian, containing 80 acres, more or less.

Parcel 6: The Northwest quarter of Section 21, Township 42 South, Range 13 West, Salt Lake Meridian, containing 160 acres, more or less.

Parcel 7: The Northeast quarter of Section 29, Township 42 South, Range 11 West, Salt Lake Meridian, containing 160 acres, more or less.

TO RANDI CARROLL NELSON AND TO STERLING D. NELSON, as tenants in common, the following described personal property:

All amounts now remaining unpaid on principal, the same being \$124,164.05, and all amounts which will hereafter become due on interest on that certain Escrow Agreement, dated November 14, 1975, made and entered into by and between Dawn Setzer, Seller, and Marvin Prince and Dorothy Prince, and Clyde G. Hunt and Delora P. Hunt, Buyers, for the original principal purchase price of \$140,000.00, which said Escrow Agreement is being held in Escrow in Zions First National Bank, Hurricane, Utah.

Also all amounts now remaining unpaid on principal, the same being \$24,164.04, and all amounts which will hereafter become due on interest on that certain Escrow Agreement, dated November 14, 1975, made and entered into by and between Dawn Setzer, Seller, and Marvin Prince and Dorothy Prince, and Clyde G. Hunt and Delora P. Hunt,

262686

Buyers, for the original principal purchase price of \$40,000.00 which said Escrow Agreement is now being held in Escrow in Zions First National Bank, Hurricane, Utah.

Also All amounts which will hereafter become due on principal and interest on that certain Savings Certificate #356923847 issued by Zions First National Bank to Dawn G. Setzer, dated 2-14-82, payable 3-14-85, for the original principal amount of \$48,413.44, and upon which Savings Certificate there is now a balance of principal and accrued interest totaling \$51,598.02 now remaining unpaid.

Also one 1975 Chevrolet 2-door automobile, Identification No. IN47V5J181288.

Dated this 11<sup>th</sup> day of June, 1984.

15/3/ Harlan Burns  
District Judge

351  
1400  
262686  
JUN 14 PM 2:52  
Randi C. Speerling D. Nelson

CLERK OF DISTRICT COURT  
MAGNOLIA HOWELL  
JUN 14 1984  
-5-

752