

No. 245632
 RECORDED AT THE REQUEST OF Owen H. Cluff
 DATE Oct 17 1956 TIME 4:05 p.m.
 BOOK 5 OF Rec. PAGE 208 FEE 3 70
Rose P. Thorough
 Lucile Sutton, Dep. Tooele County Recorder

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT, IN AND FOR
 TOOELE COUNTY, STATE OF UTAH

IN THE MATTER OF THE ESTATE :
 of : DECREE OF DISTRIBUTION
 ELEANOR DRURY, Deceased : Probate No. 1363

The duly verified account, report and petition for distribution of the property and assets of this estate as made and filed herein by Owen Cluff, the duly appointed, qualified and acting executor of this estate came on regularly for hearing before the Honorable A. H. Ellett, one of the Judges of the above entitled court on the 12th day of December, 1955, and it appearing to this court that due and legal notice of such hearing had been given according to law and the rules of this court.

It further appearing that due and legal notice for creditors of this estate to present claims, if any they have, has been given, according to law, by the publication of such notice as required by law and the rules of this court; that the time set forth in the notice to present claims has expired and that no claims of any nature have been presented, and that the proof of publication of such notice is on file herein.

It further appearing that the executor has caused to be made and filed herein an inventory and appraisal of the property and assets of this estate; that proper report of such appraisal has been made to the Utah State Tax Commission and the tax due the State in connection with this estate has been duly determined and paid in full and the proper receipt is on file herein.

It further appearing to the court that all of the just debts and obligations of this estate have been paid in full and discharged, including the expenses in connection with the last illness, funeral and burial of the deceased, all taxes against the

BOOK 2 OF 100 BYCES 100-11113
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estate property and all expenses in connection with the administration of the estate, and that the proper receipts in each instance are on file herein.

It further appearing that the within named deceased, Eleanor Drury, deceased, died intestate and that her Last Will and Testament has been duly admitted to probate by the order of one of the Judges of this court; that the within deceased left surviving her two daughters and two sons, to wit, Eleanor Crombie, Florence Griffith, Owen Cluff and Vern Cluff and that all of said children were named as beneficiaries in said last will and testament along with a grand-daughter Eleanor Monson and her husband Rodger Monson; that the said Owen Cluff and his wife have made executed and filed herein an unconditional assignment of all of their right, title, estate and interest in and to all of the property of this estate unto Eleanor Crombie, Florence Griffith and Vern Cluff and requested in such assignment that all of their respective right and interest in the estate be distributed to said three other heirs, to wit, Eleanor Crombie, Florence Griffith and Vern Cluff; that Eleanor Monson and her husband Rodger Monson, named as beneficiaries in the last will and testament of the deceased, have likewise made, executed and filed herein an unconditional assignment of all of their right, title, estate and interest in and to all of the remaining property of this estate and requested that all of said property now in the hands of the executor be distributed to the three heirs hereinabove named.

It now appearing that all things necessary for the executor of this estate to do in connection with this administration have been done, excepting distribution of the property and assets now under his control, and that the estate property is ready for distribution, and this court being fully advised in the premises,

IT IS NOW THEREFORE ORDERED, ADJUDGED and DECREED as follows:

That the account and report of the executor herein is hereby approved and allowed.

That the entire property of this estate, as now known and in the hands of the executor, together with any and all other property belonging to this estate which may hereinafter be discovered, is hereby distributed in equal shares, share and share alike, to Eleanor Crombie, Florence Griffith and Vern Cluff, surviving daughters and son of the within named deceased and all of whom are of legal age.

That the property now in the hands of the executor and which is hereby distributed is described as follows:

Real Property

Beginning at a point which is 1256 feet South of the Northeast Corner of the SW $\frac{1}{4}$ of Section 2, Township 2 South, Range 4 West of the Salt Lake Base Meridian, said point being on the north line of County Road and east line of said SW $\frac{1}{4}$ of said Section 2, and extending thence South 43 deg. 44' West along the north line of said County Road 150 feet, thence West 98 feet, thence North 365 feet, more or less, to the south right-of-way line of water canal, thence northeasterly along south right-of-way line 260 feet, more or less, to the east line of the SW $\frac{1}{4}$ of said Section 2, thence South 360 feet, more or less to the point of beginning, together with all improvements thereon and water well which furnishes water for said residence on the above described property, and which well is approximately 15 feet north of the tract of land herein described, and together with a right-of-way 12 feet wide from the above described property and directly north to a point six feet north of said well so that grantees and owners of property herein described may repair and maintain said well, and reserving to the grantors the right to maintain and operate all irrigations ditches over and across said right-of-way. Said property all being in Tooele County, State of Utah.

Personal Property

Cash on deposit in First Security Bank of Utah, N. A Tooele Branch, -----\$2,319.46

Seventy-two U. S. Savings Bonds, Series "E" appraisal value date of death, together with interest thereon to date of distribution ---- \$3,606.35

That when distribution has been made as herein ordered that the executors herein be released and this estate closed.

Dated this 24th day of December, 1955.

By the Court

/s/ A. H. Elliott Judge

I, Willard H. Sagers, Court Clerk, for Tooele County, Utah, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerk's Office of Tooele County, Utah, this 17 day of December, 1955.

WILLARD H. SAGERS, Clerk of the Court
By Willard H. Sagers Clerk