

Entry No. 38562

## IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT

IN AND FOR

SUMMIT COUNTY, STATE OF UTAH

( Probate Division)

In the Matter of the estate )

of (

EPHRAIM BATES, Deceased. )

Decree Approving Final Account,  
Petition for Approval of Contract  
And of Final Distribution. (

Hettie M. Bates and Utah Savings & Trust Company, a corporation, joint administrators of the estate of Ephraim Bates, deceased, having heretofore, to-wit: on the 6th day of October, 1936, filed herein their final account and report of their administration of the above entitled estate, and having on said date filed therewith their petition for settlement of said final account and report and for final distribution of said estate, and petition for approval of a certain contract of sale of lands to Cless D. Wright Company, a corporation, which sale and lands are hereafter described, and for approval of a certain contract of sale of lands to Tracy Land And Livestock Company, a corporation, which sale and lands are hereafter described, and thereafter, to-wit: on the 19th day of October, 1936, all said matters coming on regularly to be heard, and the evidence having been adduced, and it appearing therefrom to the satisfaction of the Court that due notice of the hearing thereof has been given for the time and in the manner prescribed by law, and no objection or exception to said petition and final account and petitions having been filed by any person or persons interested in said estate or otherwise;

And it further appearing that said final account and report is in all respects just, true and correct, and should be settled as rendered, and that all and singular the allegations and statements contained in said petition for final distribution and in said petitions for approval of contracts of sale of lands is and are true, and the Court hereby finds them to be true, and that all state, county and municipal taxes levied upon the property of said estate have been paid by said joint administrators, and that all claims and debts against said decedent and all debts and charges of administration have been fully paid and discharged, except a balance due on administrators' commission in the sum of \$224.05, and a balance due on attorney's fee in this matter in the sum of \$650.00.

And it further appearing that due and legal notice to creditors has been given as provided by law by publication of notice in the Summit County Bee, a newspaper printed and published and having a general and legal circulation in Summit county, Utah, said creditors having been given a period of four months within which to present their claims against said estate.

And it further appearing that there is in the hands of your petitioner certain property of said estate, after the payments of said debts, which said property is covered in the inventory and appraisal filed herein and the proceedings in this estate, and is described as follows, to-wit:

Certain land situated in Township 1 South, Range 3 East of the Salt Lake Base and Meridian, and being:

The east half of Section 22; the Southwest quarter of Section 25;

Certain land situated in Township 1 South, Range 3 East of the Salt Lake Base and Meridian, and being:

All of section 19; the southwest quarter of Section 20; the south half of the southeast quarter of Section 20; the southwest quarter, and the north half and the north half of the southeast quarter of Section 21; all of Section 29; the south half of the northeast quarter, the northwest quarter, and the south half of section 9; the northeast quarter of Section 35; the southeast quarter of the southwest quarter, and the southwest quarter of the southwest quarter of Section 36; also a tract of land commencing at the southwest corner of the southeast quarter of said Section 36, and running thence North 20 chains; thence East 6.103 chains; thence S. 20°20' E., 5.71 chains; thence S. 11°24' E., 3.04 chains; thence S. 12°10' W., 2.68 chains; thence S. 19°20' E., 5.70 chains; thence S. 23°20' E., 2.88 chains; thence S. 5°11' E., 3.68 chains; thence west 13.22 chains to the place of beginning, containing 18.156 acres, more or less, situated in the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Sec. 36.

Certain land situated in Township 2 South, Range 3 East of the Salt Lake Base and Meridian.

Being a tract of land commencing 124 rods west of the northeast corner of Section 1, said Township and Range, and running thence west 116 rods; thence South 80 rods; thence East 80 rods; thence South 80 rods; thence East 170 rods; thence North 80 rods; thence West 30 rods; thence North 2 rods; thence West 55 rods; thence in a Northwesterly direction to the place of beginning containing 156 acres, more or less, and being situated in the North half of said Section 1; the southeast quarter of Section 12.

Certain land situated in Township 1 South, Range 3 East of the Salt Lake Base and

Meridian, and being

An undivided one-half interest in the south half of Section 27.

Also, the water and water rights appurtenant to said lands or used in connection therewith, whether evidenced by shares of stock in an incorporated company or otherwise.

And it further appearing that the aforesaid land is now under contract of sale to Clegg D. Wright Company, a corporation, entered into by the joint-administrators of said estate, a copy of which contract is attached to the said petition for distribution filed herein and is hereby referred to for greater certainty.

Also, a certain land situated in Township 1 South, Range 3 East of the Salt Lake Base and Meridian, and being

The southeast quarter of Section 34, and the west half of Section 35.

And certain land situated in Township 1 South, Range 3 East of the Salt Lake Base and Meridian, and being

The west half of Section 32; all of Section 31; all of Section 17; the south half of the southeast quarter of Section 21; the southwest quarter of the southeast quarter, and the northeast quarter of the southwest quarter of Section 22; the North 30 acres of the southwest quarter of the northwest quarter of Section 25; the East half of Section 32; (the west half of Section 35.)

And certain land situated in Township 2 South, Range 3 East of the Salt Lake Base and Meridian, and being

Lots 1,2,7,8,9,10, and the southeast quarter of Section three.

And certain land situated in Township 2 South, Range 3 East of the Salt Lake Base and Meridian, and being

(All of Section 2;) lots 5,6,7 and 8 of Section 5; Lots 1,2,3,4,6 and 7 of Section 8; Lots 5 and 8 of Section 8; the west half of the northwest quarter, and the northeast quarter of the southwest quarter of Section 9; Lots 1,2,3 and the East half of the northwest quarter of Section 17.

And an undivided one-half interest in the following: The North half of Section 34, Township 1 South, Range 3 East of the Salt Lake Base and Meridian; All of Section 35 and the west half of Section 36, Township 1 South, Range 3 East of the Salt Lake Base and Meridian; All of Section 3; the lots 1,2,3,4, the southwest quarter of the northeast quarter, and the south half of the northwest quarter of Section 4, and also the southwest quarter of said Section 4, Township 2 South, Range 3 East of the Salt Lake Base and Meridian.

Also, the water and water rights appurtenant to said land or used in connection therewith, whether evidenced by shares of stock in an incorporated company or otherwise.

And it further appearing that the aforesaid land is now under contract of sale to Tracy Land and Livestock Company, a corporation, entered into by the joint-administrators of said estate, a copy of which contract is attached to the said petition for distribution filed herein and is hereby referred to for certainty.

That after the payment of administrators' commissions and balance due on attorney's fee and the estimated amount for closing said estate as set forth in the Final Account filed herein, there remains in the hands of the petitioners the following described personal property, to-wit:

Cash in the sum of \$18,180.19

3 shares Pfd. Granite Lumber Company stock, 1.00

50 shares Pfd. Granite Lumber Company Stock, 1.00

10 shares Hooper Sugar Company Stock (No Value)

Also, any and all other property of said estate not now known or hereafter discovered or in which said estate may hereafter acquire any right, title or interest.

And it further appearing from the evidence at said hearing that no money or other property has been received by said joint-administrators and no disbursements have been made by them since the rendition of their said Final Account and Report, except as in said account and report set forth.

And it further appearing that the said Ephraim Bates died intestate as alleged in said petition for letters of administration, and that he was a resident of Summit county, Utah at the time of his death and left estate therein within the jurisdiction of this Court, and that he left surviving him the following named persons, who are his sole and only heirs at law, and who are entitled to share in the distribution of the residue of his estate in the proportions set opposite their respective names as follows, to-wit:

Hettie M. Bates, widow of said decedent, residing at No. 348 Douglas Avenue, Salt Lake City, Utah, who is entitled to an undivided one-third of said residue of said estate.

LaVon B. Bates Clark, daughter of said decedent, residing at No. 348 Douglas Avenue, Salt Lake City, Utah, who is entitled to an undivided one-ninth of said residue of said estate.

Fern L. Bates Robinson, daughter of said decedent, residing at Aurai, Nevada, who is entitled to an undivided one-ninth of said residue of said estate.

Mida M. Bates Sargent, daughter of said decedent, residing at Hoytsville, Utah, who is entitled to an undivided one-ninth of said residue of said estate.

Fay E. Bates, son of said decedent, residing at No. 348 Douglas Avenue, Salt Lake City, Utah, who is entitled to an undivided one-ninth of said residue of said estate.

John J. Bates, son of said decedent, residing at No. 348 Douglas Avenue, Salt Lake City, Utah, who is entitled to an undivided one-ninth of said residue of said estate.

*Change made 11-26-37  
original produced by P.H. Nealey*  
Keith M. Bates, son of said decedent, residing at No. 348 Douglas Avenue, Salt Lake City, Utah, who is entitled to an undivided one-ninth of said residue of said estate.

And it further appearing to the Court that the said estate is now in a condition to be finally distributed unto the persons entitled thereto, and the administration thereof to be brought to a close, and all and singular the law and the premises being by the Court seen, heard and fully understood:

It is ORDERED, ADJUDGED AND DECREED:

That due and legal notice to creditors of said estate and of said decedent has been given as provided by law, and the same hereby is established of record.

That due and legal notice of the hearing on said petition and report and final account and petition for confirmation and approval of said contracts of sale of real estate and petition for Final Distribution of said estate has been given as required by law and the same hereby is established of record.

That said account and report be and hereby is settled, allowed and a proved as rendered, including the sum of due on administrators' commission in the amount of \$224.05, and the balance due on attorney's fee in the sum of \$350.00, and the sum of \$25.00 for closing said estate, which amounts the said administrators are hereby directed to pay.

It is further ORDERED, ADJUDGED AND DECREED that the said contract of sale of real estate made and entered into by said Joint-Administrators with Cleo D. Wright Company, a corporation, under date of April 1st, 1936, and heretofore referred to in this decree and a copy of which is set forth at large in the petition for distribution, and also the said contract of sale of real estate made and entered into by said Joint-administrators with Tracy Land and Livestock Company, a corporation, under date of April, 1st, 1936, and heretofore referred to in this decree and a copy of which is set forth at large in the petition herein for distribution, be and each of them are hereby allowed, approved and confirmed, and the property described in each of said contracts of sale is distributed under this decree to the several heirs of said estate subject to the terms, conditions, covenants and provisions of said contracts of sale, and any payments made under the terms, conditions and covenants of said contracts of sale are distributed to the several heirs of said estate subject to the terms, conditions, covenants and provisions of said contracts of sale, and the said distributees of said estate, their successors and assigns are enjoined hereby and directed to carry out on their part the terms, conditions and provisions of said contracts of sale, in intent and purpose as entered into by the said Joint-administrators, and are hereby bound to the same extent as the said joint-administrators are bound under said contracts of sale.

It is further ORDERED, ADJUDGED AND DECREED:

That all the rest, residue and remainder of said estate, particularly including that heretofore set forth and described in this decree, be and the same hereby is distributed to the following named persons who are the sole heirs of Ephraim Bates, deceased, in the amount and proportion set opposite their respective names, to-wit:

To the said Hettie M. Bates, his widow, an undivided one-third thereof.

To the said LaVon R. Bates Clark, his daughter, an undivided one-ninth thereof.

To the said Fern L. Bates Robinson, his daughter, an undivided one-ninth thereof.

To the said Nida M. Bates, Sargent, his daughter, an undivided one-ninth thereof.

To the said Fay E. Bates, his son, an undivided one-ninth thereof.

To the said John J. Bates, his son, an undivided one-ninth thereof.

*original produced 11-26-37  
change made by P.H. Nealey*  
To the said Keith M. Bates, his son, an undivided one-ninth thereof.

It is further ordered, adjudged and decreed that the administration of said estate be brought to a close, and that the said Hettie M. Bates and Utah Savings & Trust Company, a corporation, joint-administrators of said estate be discharged from their trust as such administrators and that their bondsmen be released upon the proper recordation of this decree and transfer of said property to the parties entitled thereto as their respective interest therein shall appear as aforesaid.

Done in open Court this 19th day of October, 1936.

Uccar E. McDonkie  
Judge of said Court.

Attest:

(Seal) John A. Wright, Clerk.

State of Utah, )  
                  ) 200.  
County of Summit, (

I, John E. Wright, Clerk of the Third District Court of Summit county, Utah; do hereby certify that the above and foregoing seven pages constitute a full, true and correct copy of the Final Decree of Distribution in the matter of the estate of Ephraim Bates, deceased, pending in the Third District Court of Summit County, Utah, made and entered on the 19th day of October, 1936, as the same appears on file and of record in my office.

WITNESS my hand and the seal of said Court this 19th day of October, 1936.

John E. Wright,  
Clerk of said Court.  
By Charles L. Frost, Deputy.

(Seal)

Recorded at the request of Utah Savings & Trust Company Oct. 28th, A.D. 1936 at 11: o'clock A.M.  
Viola Zambrunnen, County Recorder.

Entry No. 58668

IN THE DISTRICT COURT, OF THE THIRD JUDICIAL DISTRICT,

IN AND FOR

SUMMIT COUNTY, STATE OF UTAH.  
( Probate Division)

In the Matter of the estate )

of )

Thomas McNeil, Deceased. )

DECREE OF SUMMARY  
DISTRIBUTION.

Thomas E. McNeil, the administrator of the estate of said deceased, having returned to this court, and caused to be filed in the office of the clerk an inventory and appraisal from which it appears that the total value of all estate left by said decedent is of a value less than \$1500.00, to-wit: of the value of \$420.00, as fixed by said appraisal; and it appearing that all said children of the decedent have attained the age of majority, except two, and that these have a separate income and maintenance, and that administrator having petitioned this court that the said property be distributed to Martha E. McNeil, the surviving widow of said deceased, as provided by Section 7644, Compiled Laws of Utah, 1917; and the Court having considered said petition and the records and files herein, and the evidence offered in support of said petition, and it appearing therefrom that due and legal notice has been given of the time and place of hearing said petition; and it appearing that all the expenses of the last illness and funeral charges against said deceased and the expenses of administration, and all taxes that have attached to or accrued against said estate have been paid, and all said matters being fully considered, and no objection being made thereto, it is by the Court;

Ordered, Adjudged and decreed: (1) That due and legal notice of the hearing of the petition for summary distribution has been given:

(2) That the expenses of the last illness and funeral charges against said deceased and the expenses of administration of said estate and all taxes that have attached to or accrued against said estate have been paid, and the account thereof is true and correct and is hereby allowed;

(3) That the appraised value of said estate is less than \$1500.00, to-wit: of the value of \$420.00; that Martha E. McNeil is the surviving widow of said deceased and he left surviving him no children who have not a separate income or maintenance or who have not reached the age of majority or who are not married.

And it further is ordered, adjudged and decreed, that the whole of the residue of the estate left by the said Thomas McNeil, deceased, be and the same hereby is summarily distributed and set apart to said Martha E. McNeil, as the surviving widow of said decedent.

The following is a particular description of the property of the estate referred in this decree, and of which summary distribution is decreed, to-wit:

A tract of land commencing at the north-east corner of Section 11, Township Three South of Range Six East of the Salt Lake Base and Meridian, and running thence South twenty rods; thence west twenty rods; thence south sixty rods; thence west twenty rods; thence north eighty rods; thence east forty rods to the place of beginning, containing 12 1/2 acres, more or less.

Also, a tract of land beginning on the County Road that runs along the Grove River Bottom, and commencing at a point 55 rods south from the north west corner of the South-east quarter