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JEFFERY SMITH
UTAH COUNTY RECORDER
2017 Aug 03 1:34 PM FEE 18.00 BY CS
RECORDED FOR KATHIE BROWN ROBERTS PC

## RECORDING REQUESTED BY:

Kathie Brown Roberts P.C. 9045 South 1300 E, Ste. 100 Sandy, UT 84094 (888) 629-1114

## WHEN RECORDED MAIL TO:

Kathie Brown Roberts P.C. 9045 South 1300 E, Ste. 100 Sandy, UT 84094 (888) 629-1114

## PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Stacy Smiley, personal representative of the estate of Michael T. Smiley, deceased, Grantor, to Christopher Smith, half (1/2) interest as tenant in common and Brittany Smith Harrington, half (1/2) interest as tenant in common, beneficiaries of the estate of Michael T. Smiley, Grantees.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Case Number 29D01-1611-EU-000426, in Hamilton County, State of Indiana; Domesticated in Utah as Probate Case Number 173400313 filed in Fourth District Court, State of Utah;

WHEREAS, on June 23, 2017, Christopher Smith and Brittany Smith Harrington were also adjudicated to be the heirs of Virginia K. Smith Smiley, case number 173400315, filed in Fourth District Court, State of Utah, attached as **Exhibit A** hereto;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantees the following described real property in Utah County, Utah:

All of the W1/2 of the NE1/4 of Section 23, Township 7 South Range 2 West, SLBM consisting of approximately 80 acres.

Parcel Number 59:131:0010

EXECUTED this 215t day of July, 2017

Stacy Smiley, Personal Representative of the Estate of Michael T. Smiley, Grantor

tacy Smiles, Herograf Representative

| STATE OF INDIANA ) ) ss.   |
|--|
| COUNTY OF Marion )   |
| On 7-21, 2017, before me, Glenda Pitts, a Notary Public, personally appeared Stacy Smiley, Personal Representative of the Estate of Michael T. Smiley who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity and that by their signatures on the instrument the persons or entities upon behalf of which the persons acted, executed this instrument. |
| I certify UNDER PENALTY OF PERJURY under the laws of the State of Utah that the foregoing is trust and correct.  |
| GIVEN under my hand and official seal on: 7.21.17  |
| Signature Clenda Marie Pitts Signature Clenda Marie Pitts Printed Name  Glenda Marie Pitts  Glenda Marie Pitts  Marion County Commission # 669409 My Commission Expires June 21, 2023  |
| NOTARY PUBLIC for the State of Indiana   |
| Residing at: 6633 Rothshild Blvd Indianapolis, IN 46278  |
| My appointment expires on: 6-21-2023   |

## **EXHIBIT "A"**

The Order of the Court is stated below:

Dated: July 21, 2017

08:04:21 AM

/s/ ANTHOR District Cou

KATHIE BROWN ROBERTS BAR NO. 10748 KATHIE BROWN ROBERTS, P.C. 9045 SOUTH, 1300 EAST, STE. 100 SANDY, UTAH 84094 TELE: (801) 572-0900 FAX: (801) 337-9557 K.ROBERTS@KATHIEROBERTS.COM

ATTORNEY FOR PETITIONER

I CERTIFY THAT THIS IS A TRUE COPY OF AN ORIGINAL DOCUMENT ON FILE IN THE FOURTH JUDICIAL DISTRICT COURT IN

IN THE FOURTH JUDICIAL DISTRICT COURT OF UTAH COUNTY, STATE OF UTAH

IN THE MATTER OF THE ESTATE OF

VIRGINIA K. SMITH SMILEY,

AMENDED ORDER **DETERMINING HEIRS** 

Decedent. Probate No. 173400315

On this 23rd day of June, 2017 came on to be heard the Petition of STACY SMILEY for and Order determining the heirs of VIRGINIA K. SMITH SMILEY, deceased, and the Court having considered such Petition and reviewed the evidence pertaining to such Petition:

NOW, THEREFORE, IT IS HEREBY ORDERED AND DECREED THAT:

- 1. The Court has jurisdiction of this estate, proceeding and subject matter.
- 2. The time required for notice has expired.

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- 3. All required notices have been given or waived.
- 4. VIRGINIA K. SMITH SMILEY died on March 18, 2013 at the age of 72 years in Marion County, Indiana.
- 5. Venue is proper because at the time of death, decedent had property located in Utah county.
- 6. The decedent's estate was never probated and cannot now be probated because more than three (3) years have passed since the decedent's death in accord with U.C.A. Sec. 75-3-107.

July 21, 2017 08:04 AM 1 of 2 7. The names and addresses of the living heirs of the decedent are as follows:

| NAME   | ADDRESS                                     | AGE<br>(if minor) | RELATIONSHIP                        |
|--|---|-------------------|-------------------------------------|
| 1. Estate of Michael Smiley: 50%, to be divided among: Christopher Smith and Brittany Smith Harrington | 142 Harrowgate Drive<br>Carmel, IN 46033    |                   | Surviving Spouse<br>Estate/devisees |
| 2. Christopher Smith: 25%  | 129 Chatsworth Drive<br>St. Johns, FL 32259 |                   | Son                                 |
| 3. Brittany Smith<br>Harrington: 25%   | 1410 Kingsvale Cir.<br>Herndon, VA 20170    |                   | Daughter                            |

8. At the time of the decedent's death, the decedent owned an interest the following described real property located in Utah County, Utah:

All of the W1/2 of the NE1/4 of Section 23, Township 7 South Range 2 West, SLBM consisting of approximately 80 acres.

Parcel Number 59:131:0010

- 9. At the time of decedent's death, distribution of the decedent's estate was governed by U.C.A. Sec. 75-2-102.
- 10. The decedent was survived by her spouse, Michael T. Smiley, who subsequently died on October 6, 2016 and whose estate is being probated in Hamilton County Superior Court, Indiana, Case Number 29D01-1611-EU-000426. Exemplified copies of the same are filed as case number 173400313 in Fourth District Court, State of Utah.
- 11. The devisees of the Estate of Michael Smiley filed in the foregoing case number 173400313 filed in Fourth District Court, State of Utah are Christopher Smith and Brittany Smith Harrington, Morgan Smiley having disclaimed his interest in this parcel described in paragraph 8 above. The disclaimer from Morgan Smiley has been filed with the Court.
- 12. Based on the evidence provided to the Court, THEREFORE court finds that the following are the heirs of the property set forth in paragraph 8 above: Christopher Smith (50% interest) and Brittany Smith Harrington (50% interest).

End of document. For court endorsement see the top of the first page.

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