

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT, IN AND FOR  
THE COUNTY OF WEBER, STATE OF UTAH

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IN THE MATTER OF THE ESTATE )

OF )

WILLIAM T. WAYMENT, )

Deceased. )

DECREE FIXING COMPENSATION OF  
ADMINISTRATRIX AND HER COUNSEL,  
AND MAKING FINAL DISTRIBUTION  
OF THE ESTATE

Case # 6770

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The petition of Elsie Wade Wayment, the duly appointed, qualified and acting administratrix of the estate of William T. Wayment, deceased, heretofore filed herein, praying for the final distribution and for an order fixing the fees of the administratrix and her counsel coming on regularly to be heard on the 20th day of March, 1944, and it appearing that due notices of such hearing has been given as required by law, that all claims against the said estate are fully paid, and that the final account of said administratrix has been duly made and has been confirmed by this Court; that all taxes due from said estate have been paid, including the inheritance taxes due the State of Utah, and that said estate is now in a condition to be closed; that the said William T. Wayment died intestate at Warren, Weber County, Utah, on the 15th day of February, 1943, and that at the time of his death he was a resident of Warren, Weber County, Utah, and that he left surviving him the following heirs-at-law: Elsie Wade Wayment, Horace W. Wayment, Albert B. Wayment, Marybelle Stewart, Theodore Wayment, Myrtle Nye, Chester T. Wayment, Vernal E. Wayment, Thore Shaw, Russell W. Wayment, Elaine W. Wayment and Dee W. Wayment; and it further appearing that the said administratrix and her counsel are entitled to be paid for their services respectively in the



amounts set out in said petition,

NOW, THEREFORE, on motion of Thatcher & Young, Esquires, attorneys for petitioner, David J. Wilson, Esquire, appearing as attorney for the first family consenting thereto on behalf of his clients,

IT IS ORDERED that the petitioner pay to herself, as her fees for services rendered in the administration of the above entitled estate, the sum of Five Hundred Seventy Six and 28/100 Dollars (\$576.28), that being the amount fixed by statute, and that she pay to Thatcher & Young, her counsel, for their services, the sum of Five Hundred Seventy Six and 28/100 Dollars (\$576.28), which the Court hereby finds to be a reasonable and just fee to be allowed to them, and that she retain Three Dollars (\$3.00) to pay for the recording of the certified copy of this decree; and it further appearing that all of the heirs-at-law have entered into an agreement for the distribution of said estate, which the Court hereby adopts and approves,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the residue of said estate be and the same is hereby distributed and partitioned as follows, to-wit:

To Blaine Wayment:

1/2 interest in beet cultivator  
1/4 interest in beet drill  
1/5 interest in grain drill  
1 old harness  
1 beet digger

To Russell Wayment:

2 hay forks  
1 beet fork  
1 hay knife  
33 1/3% interest in the bull

To Theodore Wayment:

13 % interest in said bull

To Vernal Wayment:

1 disc  
1 log chain and cultivator  
2 milk cans



To Chester Wayment:  
 1/2 interest in tomato planter  
 1 holstein calf

To Marybelle Stewart:  
 1/5 interest in potato planter

To Elsie Wade Wayment:  
 9 poles  
 All shares of stock standing in the name  
 of said decedent in the Weber Central Dairy.

The balance of the cash on hand, amounting to One  
 Thousand One Hundred Fifty and 98/100 Dollars (\$1,150.98) shall  
 be distributed 1/3rd to Elsie Wade Wayment and the remaining  
 2/3rds in equal proportions to all of the children above named.

All of the real estate shall be distributed and  
 apportioned as follows:

To Horace W. Wayment, Albert Wayment, Marybelle  
 Stewart, Theodore Wayment, Myrtle Knight, Chester T. Wayment and  
 Vernal F. Wayment, in equal undivided portions, share and share  
 alike, the following described real estate and water right, to-  
 wit:

Beginning at a point 32 rods West of the Northeast  
 corner of Section 12, Township 6 North, Range 3 West, Salt  
 Lake Meridian, and running thence South 10.88 chains;  
 thence West 2.26 chains; thence South 4.62 chains, thence  
 West 4.75 chains, thence South 2.58 chains; thence West  
 25 chains; thence North 18.08 chains, more or less, to  
 section line; thence East along section line 32 chains  
 more or less, to point of beginning, TOGETHER WITH 8 shares  
 of water in the Warren Irrigation Company.

The Southwest quarter of Section 12, Township 6  
 North, Range 3 West, Salt Lake Meridian, EXCEPT beginning  
 at the Northeast corner of the Southeast quarter of said  
 Section 12 and running thence West 15 rods; thence South  
 40 rods; thence East 16 rods; thence North to beginning  
 and EXCEPTING 16.5 feet strip for road and also right of  
 way of electric power company, containing 156 acres more  
 or less, with any and all water rights appurtenant thereto.

That portion of the following described property  
 known as the Halverson tract lying North of the railroad  
 right of way, to-wit: A part of the Northwest quarter and  
 a part of the Southwest quarter of Section 6, Township 6



North, Range 2 West, Salt Lake Meridian, beginning at a point 90.66 rods South from the Northeast corner of the Northwest quarter of said Section 6, and running thence West 80 rods; thence South 131.04 rods, more or less to street; thence East along the street 40 rods; thence North 56.54 rods; thence East 40 rods; more or less, to the quarter section line; thence North 74.50 rods to place of beginning, Together with 8 shares of water in the Warren Irrigation Company.

The East half of the Northwest quarter of the Northwest quarter and East half of the Southwest quarter of the Northwest quarter, the North half of the Northeast quarter of the Northwest quarter, and the South half of the Southeast quarter of the Northwest quarter of Section 4, Township 6 North, Range 3 West, Salt Lake Meridian, containing 77.83 acres more or less, together with 30 shares of water in the Warren Irrigation Company.

To Elsie Wade Wayment, the surviving widow, an undivided  $1/3$  interest and to Thora Shaw, Fussell W. Wayment, Blaine W. Wayment and Dee W. Wayment, in equal undivided portions, the remaining undivided  $2/3$  interest in the following described real estate and water rights, to-wit:

A part of the Southwest quarter of Section 7, Township 6 North, Range 3 West, Salt Lake Meridian, beginning at the Northwest corner of the said quarter section and running thence East 160 rods; thence South 60 rods; thence West 160 rods; thence North 60 rods; to the place of beginning, containing 60 acres, together with  $1\ 1/3$  shares of water in the Warren Irrigation Company, together with the home, outbuildings, and all furnishings and furniture of every kind and character located in said home.

Part of the Northeast quarter of Section 12, Township 6 North, Range 3 West, Salt Lake Meridian, beginning 544.5 feet West of the Northeast corner of Section 12, thence South 542 feet; thence East 544.5 feet; thence South 752 feet; thence West 20 rods; thence South 420 13' 27" East 11.68 rods; thence East 12.15 rods; thence South along the East line of said section to South line of the Northeast quarter, thence West to center of Section 12; thence North to North line of said section; thence East to point of beginning, save and except the following described portion of the above described property on the North side distributed to the first family, to-wit: Beginning at a point 32 rods West of the Northeast corner of Section 12, Township 6 North, Range 3 West, Salt Lake Meridian, and running thence South 10.88 chains; thence West 2.26 chains; thence South 4.62 chains; thence West 4.75 chains; thence South 2.58 chains; thence West 25 chains; thence North 18.08 chains, more or less, to section line; thence East along section line 32 chains more



or less, to point of beginning.

There is distributed with the land above described 13 shares of water in the Warren Irrigation Company.

All of that portion of the land hereinafter described known as the Halverson Tract lying South of the railroad right of way, said entire Halverson Tract being described as follows: Part of the Northwest quarter and a part of the Southwest quarter of Section 6, Township 6 North, Range 2 West, Salt Lake Meridian, beginning at a point 90.66 rods South from the Northeast corner of the Northwest quarter of said section 6, and running thence West 80 rods; thence South 131.04 rods; more or less; to street; thence East along the street 40 rods; thence North 56.54 rods; thence East 40 rods more or less to the quarter section line; thence North 74.50 rods to place of beginning, together with 35 shares of water in the Warren Irrigation Company.

IT IS FURTHER ORDERED that whereas said agreement between the first family and the second family provides that a certain partition fence shall be constructed in order to divide one of the tracts of land hereby partitioned, in accordance with the agreement made in open Court, IT IS ORDERED that the respective parties construct said fence in manner and form provided and agreed to by not later than April 10, 1944, and likewise that the money which the second family shall pay to the first family in the sum of One Thousand One Hundred Seventy Six and 68/100 Dollars (\$1,176.68), as a condition for the above division of said lands, shall also be paid by not later than April 10, 1944.

IT IS FURTHER ORDERED that any other property not herein described or hereinafter discovered which may belong to said decedent at the time of his death or in which he <sup>may</sup> have an interest shall be distributed 1/3rd thereof to the surviving widow, and the remaining 2/3rds to the children named in this decree, share and share alike.

Dated this 21st day of March, 1944.



STATE OF UTAH  
County of Weber

ss.

I, - - - - LAWRENCE M. MALAN - - - - County Clerk and Ex-Officio Clerk of the  
Second Judicial District Court of the State of Utah, in and for the County of Weber, do heré-  
by certify that the foregoing is a full, true and correct copy of the original

"DECREE FIXING COMPENSATION OF ADMINISTRATRIX AND HER COUNSEL, AND  
MAKING FINAL DISTRIBUTION OF THE ESTATE."

In t he Matter of the Estate

of

WILLIAM T. WAYMENT,  
Deceased - - - - -

- - - - - as appears on file - - - - - and of record - - - - - in my office in Ogden City.

Witness my hand and Seal, this the - - - - - 21st - - - - - day

of - - - - - March - - - - - 194 4

LAWRENCE M. MALAN,

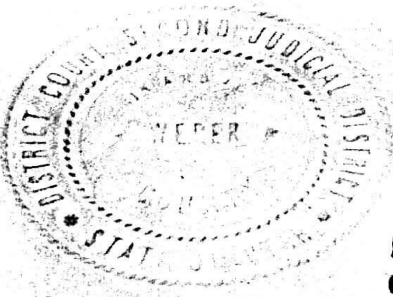
Clerk

By

*John L. Carlson*  
Deputy Clerk

82293

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PLATTED   
RECORDED   
COMPARED

ABSTRACTED   
INDEXED   
PAGED

STATE OF UTAH } SS  
COUNTY OF WEBER }  
FILED AND RECORDED FOR  
*Le Roy B. Young*  
MAR 22 10 09 AM '44  
BOOK 189 Of Deeds  
PAGE 274  
*Dorothy B. Campbell*  
COUNTY RECORDER  
BY DEPUTY *E. Charlotte Jacobs*