

IN THE DISTRICT COURT OF MCLEAN COUNTY, STATE OF NORTH DAKOTA.

In the Matter of the Estate of ARLENE M. DOEPKE, Deceased.

28-10-P-6

CERTIFIED COPY

DECREE DETERMINING HEIRSHIP TO REAL PROPERTY

The Petition of KENNETH DOEPKE, dated January 7, 2010, for determination of heirship in the estate of the above named decedent, having duly come on for hearing before the above named court, the undersigned Judge having heard and considered such Petition, being fully advised in the premises, makes the following findings and determinations:

1. That the Petition for Determination of Descent is complete.
2. That the time for any notice has expired and any notice as required by the laws of this state has been given and proved.
3. That the Petitioner has declared and affirmed that the representations contained in said Petition are true, correct and complete to the best of his knowledge, information and belief.
4. The Petitioner is an interested person as defined by the laws of the State of North Dakota.
5. That the decedent died on April 20, 2005, and that more than three (3) years have elapsed since the death of said decedent; and it appears from the Petition that the time for original appointment proceedings has expired.
6. That on the basis of the statements in the Petition, this Court has jurisdiction of this estate, proceedings and subject matter.
7. That the venue for this proceeding is in McLean County, North Dakota, because decedent was the owner of a mineral interest in real estate located in McLean County, North Dakota.
8. That all of the decedent's heirs are as identified in the Petition commencing this proceeding.
9. That no Will or authenticated copy of a Will of decedent probated outside of this state has been admitted to probate, or administration had in this state.
10. That the Last Will and Testament of the Decedent has not been probated within three (3) years from death and by reason thereof the assumption of intestacy is final.
11. That said decedent at the time of her death was the owner of certain property described as follows:

Pages: 3  
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Informal Conference - Exhibit 4  
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McLean Co., ND

DISTRICT COURT

FEB 16 2010 (4) ✓

McLean County, ND

An undivided interest in and to all oil, gas and other hydrocarbons, coal, clay, uranium, gravel and other minerals in and under and that may be produced in the following described real estate, together with the right of ingress and egress for the purpose of mining, drilling, exploring and producing such minerals and the removal of the same therefrom.

TOWNSHIP 145 NORTH, RANGE 83 WEST:

Section 22: NW¼

Section 27: NW¼

12. That the heirs at law of the decedent are:

Kenneth Doepke	Husband	4008 Old Red Trail NW Mandan, ND 58554
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Rebecca A. Schmidt	Daughter	4008 Old Red Trail NW Mandan, ND 58554
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NOW, THEREFORE, it is ORDERED, ADJUDGED and DECREED by the Court as follows:

1. That the Petition is hereby granted.

2. That by lapse of time of over three (3) years from the date of death, the assumption that decedent died intestate is final.

3. That certain property described as follows:

An undivided interest in and to all oil, gas and other hydrocarbons, coal, clay, uranium, gravel and other minerals in and under and that may be produced in the following described real estate, together with the right of ingress and egress for the purpose of mining, drilling, exploring and producing such minerals and the removal of the same therefrom.

TOWNSHIP 145 NORTH, RANGE 83 WEST:

Section 22: NW¼

Section 27: NW¼

is vested in KENNETH DOEPKE, whose postoffice address is 4008 Old Red Trail NW, Mandan, ND 58554, as sole owner under the intestate succession laws of the State of North Dakota, and the title to the above real estate has passed to and is hereby assigned to and vested in the above named person.



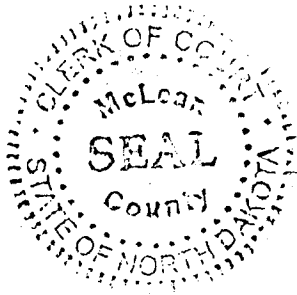
TO HAVE AND HOLD the same together with all the hereditaments and appurtenances thereto belonging or any way appertaining, to the above named person, his heirs and assigns, without prejudice, however, to any lawful conveyance of said property or any part thereof by him heretofore made.

IT IS FURTHER DECREED that this Court has determined that the above described real estate is vested in the heirs at law in the proportions declared free and clear of any lien of estate or inheritance taxes.

Dated this 12<sup>th</sup> day of February, 2010.

BY THE COURT:

Thomas J. Schweitzer  
District Court Judge



STATE OF NORTH DAKOTA } SS. DISTRICT COURT  
COUNTY OF MCLEAN }

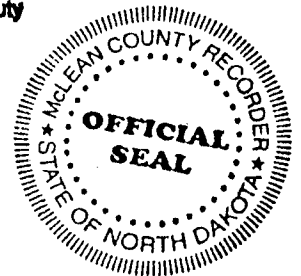
Cathy Bailey, Clerk of the District Court in and for said County and State, DO HEREBY CERTIFY that I have carefully compared the foregoing with the original record in my office, and that the same is a true and correct copy thereof. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at Washburn, in said County,

on this 16<sup>th</sup> day of February, 2010

Cathy Bailey  
Clerk of District Court

W.A. Anderson  
By Deputy

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RECORDER'S OFFICE, MCLEAN COUNTY, ND 2/17/2010 1:05 PM  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.  
DWAYNE J. OSTER, COUNTY RECORDER

Dwayne J. Oster 3367221

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