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**FIFTH JUDICIAL DISTRICT COURT
COUNTY OF EDDY
STATE OF NEW MEXICO**

Martin
FIFTH JUDICIAL
DISTRICT COURT
COUNTY OF EDDY
FILED IN CASE NO. 2011 OCT 20 AM 11:28
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DISTRICT COURT CLERK

IN THE MATTER OF THE ANCILLARY)
PROBATE OF THE LAST WILL AND)
TESTAMENT OF JOHN GEORGE)
ROSS, SR., Deceased.)
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)
)

No.-PB-2011-53-JRB

FINAL JUDGMENT DETERMING HEIRSHIP

SUBMITTED BY:

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THIS MATTER came before this Court upon **WORTH W. ROSS's** ("Worth") verified *Petition for Determination of Heirship Pursuant to a Will*. Worth, by means of the verified Petition, stated under oath that he, Michelle Ross Meyer, Jeffrey F. Gilson and Ross A Gilson are the only heirs of **John George Ross, Sr.** The "unknown heirs of John George Ross, Sr." were served by publication of a notice of this suit in the Carlsbad Current Argus, a newspaper of general circulation in Eddy County, New Mexico, once a week for four consecutive weeks beginning August 13, 2011 and ending September 3, 2011. The Eddy County District Court Clerk has filed a *Certificate as to the State of the Record and Non-Appearance*. This Court has reviewed the verified pleadings and the record in this matter. Being fully advised, this Court finds:

1. This proceeding was brought pursuant to **§45-3-108A(4) & (5) N.M.S.A. 1978 Comp.**
2. The petitioner is the grandson of the decedent. In the State of Texas, the Petitioner has been the appointed Successor Independent Executor and is, therefore, an interested person as defined by the laws of New Mexico. The Petitioner's address is 3710 Rawlins Street, Suite 850, Dallas, Texas 75219.
3. **JOHN GEORGE ROSS, SR.** ("John") died on May 28, 1977, at the age of 75 years. At the time of his death, John was a citizen of the United States and residing in Pecos, Reeves County, Texas.
4. John's Last Will and Testament was admitted to Probate in Reeves County, Texas, Probate Court, Estate Cause No. 1958.
5. At the time of John's death he owned real property in Eddy County, New Mexico.
6. The names and addresses of the heirs, devisees and legatees of the decedent, insofar as known or ascertainable with reasonable diligence, are as follows:

Name	Address	Relationship	Age
Worth W. Ross	3710 Rawlins Street, Suite 850 Dallas, Texas 75219	Grandson	Adult
Michelle Ross Meyer	1513 Douglas Colleyville, Texas 76034	Granddaughter	Adult
Jeffrey F. Gilson	140 Springwood Lane Mooresville, NC 28117	Nephew	Adult
Ross A. Gilson	2314 Scarborough Springfield, VA 22153	Nephew	Adult

7. More than three years has passed since John's death. No probate or testacy proceeding has been commenced in New Mexico regarding his estate.
8. Because the decedent owned property in Eddy County at the time of his death, jurisdiction and venue for this proceeding is proper in Eddy County, State of New Mexico.
9. Worth is entitled to a Final Judgment determining heirship for John's New Mexico estate and confirming each of the above named heirs interest in the title to John's estate.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. This Court has subject matter jurisdiction and *in rem* jurisdiction to determine the heirship to real property in Eddy County, New Mexico.
2. **Worth W. Ross, Michelle Ross Meyer, Jeffrey F. Gilson and Ross A. Gilson** are the only heirs of **John George Ross, Sr.**
3. Title to **John George Ross, Sr.**'s New Mexico real estate, whether surface or mineral, including water rights, is hereby vested in **Worth W. Ross, Michelle Ross Meyer, Jeffrey F. Gilson and Ross A. Gilson** as tenants-in-common.

4. The unknown heirs have no interest in **John George Ross, Sr.**'s New Mexico real estate and are forever barred from making claim.

/S/ J. RICHARD BROWN

J. Richard Brown, District Judge

SUBMITTED BY:

Martin, Dugan & Martin



By _____

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