

Research begins to regain Title to Property:

1-03-2012	Research Title	Dennis starts researching to determine how we hold title to the property?
1-30-2012	Letter to family	Dennis sends letter to family telling them that the Property is still in name of Gaetano Morelli, because the estate attorney never deeded the property to Gaetano's children as per the probate decision. <u>NOW WE HAVE A Title PROBLEM...</u>
1-30- 2012 to May 2012	Research	Because all of Gaetano's children are deceased we now have to prepare to take the property through the court process to gain legal title.
June 13, 2012	Family Agent	Dennis notifies family that the courts will require one family member to be appointed as their agent to proceed with the court process.
July ---August	Agent Form	Dennis creates agency form and starts the chain mailing to all cousins for their signatures.
August 29-2012	Agent Form	Dennis contacts the family letting them know that he has received the signed agency form back from everyone & that he now needs \$225 from each of the seven families for starting the court petition process.
May. 2012 to Nov. 2012	Research	Dennis continues researching to determine how to proceed with petitioning the courts.
Jan. 26, 2013	Letter to Family	Dennis sends letter to family explaining to them that he has created and submitted two legal documents to the court in Castle Dale & that the hearing is set for Feb. 5, 2013.
Feb 19, 2013	Letter to Family	Dennis notifies family that the court approved both Documents and that he has established Redipiano Enterprises, LLC
April 26, 2013	Letter to Family	Dennis notifies family that both properties have Now been recorded into Redipiano Enterprises LLC.

GAETANO MORELLI

GREEN RIVER, PROPERTY

Jan 30, 2012 (Pg one)

Hi Everyone,

I have just completed my research on the family property in Green River. I have spent several weeks talking to recorders offices, real estate agencies, surveying companies, water agencies, city officials, appraisers, law firms, individual attorneys & title companies. This property search has been most interesting and at the same time very intriguing.

Here is what I have been able to find about this property. Our grandfather purchased the property on 9-18-1913 for the purchase price of \$1,500.00. The legal description on the deed did not identify the parcel by actual footage, but by section and township and said it consisted of 23 acres more or less. Over the years there has been talk of the river eating away 10 acres of the property, because the easterly property line runs all along the river. (Please read the explanation attached from the surveyor of why he thinks this is not the case.)

In 2003 there was a legal battle between Green River City, Emery County and Grand County and part of our property was annexed into Emery County. Now there are two parcels of land. One parcel is in Emery County and is 0.69 of an acre. The other parcel is in Grand County and is a 12.3 acre parcel. The largest parcel is zoned range and farm land and the smaller parcel is zoned commercial. The assessed value of the two parcels combined is \$13,428.00.

When our grandfather died in 1941 he had no will and several years later uncle Emery took the property through the probate process. On September 20, 1946 the probate was finalized and the court decreed that the property would be given to each of his natural children in equal shares. Each of his children received an 1/8 interest in the entire property. Since the probate decree nothing has been done to make the title to the property legal or whole.

Now with the passing of our beloved Aunt Della on January 16, 2012 who was the last one of the eight children to pass away we have a serious problem with title to this property. Currently no one has legal title to the property, therefore the property can not be sold, leased or built upon. The direction that we take to clear up the title now comes down to the opinion of the probate court. I have spoken to two different title companies in Moab & one in Castle Dale. All three of these title companies told me that they could not prepare a legal deed from the probate decree and that we needed to get legal representation and petition the courts for a ruling on how the title can be made whole & legal.

After speaking to five different probate & estate attorneys I have selected the one that I think would be the right fit for us and provide us with the best service. He is the city attorney for Moab, Utah and has a very good reputation amongst all the local title companies and government agencies that we will have to deal with to obtain legal title to the property. I spoke to him today and he is going to do some research and get back to me in a few days with his recommendations.

Our goal at this point would be to clean up the title to the property with as little time & expense as possible. The worst case would be if we are required to take each of our deceased parents interest in the property through the probate court, which would be very expensive and very exhausting time wise.

Each of these petitions would have to be completed and filed by an attorney. I have not yet received any prices on the costs. If you have any questions or would like to speak to me I can be reached at 1-916-801-6131 my cell, 1-530-672-8760 my home, or by e-mail at dmor8@comcast.net

Thanks, Dennis



Jan 30, 2012
Page 2

ATTACHMENT TO GREEN RIVER PROPERTY LETTER

The legal description shown on the purchase deed recorded on 9-20-1913 and the probate decree recorded on 9-12-1946 both show the legal description described below.

All that part of the Southwest Quarter of the Southeast Quarter of Section 10; TWP. 21 S., 16 E., S.L.M. lying East of the Easterly channel of the Green River. Consisting of 23 acres, more or less; lying and being situated in Grand County, State of Utah.

Over the years it has been said that the Green River has been rerouted over time and has eating away 10 acres of this land, because we now have only 13 acres? Is this the truth? Fiction or otherwise?

Recent explanation by Brent Tuttle of Johansen and Tuttle Engineering, Castle Dale, Utah.

Although both of the recorded documents state the property to be 23 acres more or less we have plotted these deeds on GOOGLE EARTH and with our knowledge of where the controlling section markers are located for Section 10, we calculate your rough acreage to be about 13 acres (without an actual "in the field" survey this number is approximate but it will be close). Our first thought on this difference is that there never was 23 acres of actual "in the field" ground, thus there never was 23 acres to be had. Where the description has no distance calls or bearings, whoever came up with that acreage in 1913 was, possibly, simply guessing at the location of the river at the time and also the location of the section markers for that section to plat the property on the plat map. When the area was plotted in 2003 for the annexation and the issues involved there, it was plotted using aerial photos and locations for the section markers and recalculated using this more accurate data. Without doing more extensive research and an actual field survey I believe this reasoning has the most validity for the change in acreage.

I believe this to be the exact situation, because the parcel tax identification statement's show the smallest parcel as 0.69 acres and the larger parcel at 12.3 acres.

Dennis

PS. Their bid to complete a survey of the property and locate the corner markers would be approx. \$1,500

June 13, 2012

Hi Everyone,

I have been working on the solution to our problem with the ownership of the Green River Property. The problem that we have is the fact that the property title was never transferred from our grandfather's estate upon the completion of the probate in 1946. The probate decree declared that his children be given equal shares in the ownership of the property. If the attorney of the probate would have taken the probate decree to a title company and had them create and record deeds giving each of our parents their equal share we would not be talking about this issue.

Now that all of his children are deceased we are forced to go back and deal with the courts once again to determine who the rightful heirs are of each of our parent's shares. The procedure for this process requires each family to petition the court for a ruling determining who the legal heirs are of each of our deceased parent's estates. The costs for this individual court process can become very expensive.

I have been researching the probate codes in Utah and talking to eight or nine law firms trying to see if there is any way that we might be able to complete this task without having to take each individual's estate through the probate process separately. We have found a statute in the probate code that states if a person has been deceased longer than three years their estate does not have to go through the formal probate process.

The only possible problem we might have is if the court will not recognize aunt Della's estate because she has not been deceased for 3 years. We have decided that we should go ahead and include all of our parents' estates into one petition to the court. This would be accomplished by the use of a Quiet Title Action in conjunction with a consent and waiver of interest in real estate. A Quiet Title Action means that upon the approval by the courts of this action you quiet any and all claims of any right, claim or title of any interest in this property. The consent and waiver of interest in real estate would list all of the living heirs of the deceased children of Joseph G. Morelli and each of us would release our interest in the property to an appointed family agent representing all of the heirs.

Upon getting the approval from the courts the ownership of the property would be deeded to our appointed family agent who would then deed the property into our Family Limited Liability Company. Once the property is deeded into the LLC each family would have an equal share of ownership of the LLC and the property. At this point as the legal owners of the property we would be able to do anything with the property that all of us are agreeable to. The LLC would have Articles of Organization and an Operating Agreement which would spell out how we would handle all issues related to the property.

I have already prepared the Quiet Title Action Petition as well as the consent and waiver of interest in real estate that we will submit to the court. I have spoken with an attorney in Provo and he has agreed to review our petition to the court making sure it is completed properly before I submit everything to the court. I will then submit the petition to the court as our family agent therefore avoiding additional legal fees. By completing the Quiet Title Action Petition, the consent & waiver and submitting them to the court on our own we will save thousands of dollars.

If each of our families agrees to contribute \$ 225.00 we will have enough funds to cover the approximate costs of \$1,200 to \$1,500 for legal fees, court filing fees & state filing fees for the LLC. I will set up an account for the sole purpose of making the Green River Property legally ours. I will give everyone a full accounting of all monies in and out and will not spend any monies without approval of everyone. If anyone has any questions please call me at 530-672-8760 or e-mail me at dmor8@comcast.net.

Thanks,

Dennis

8/27/2012

XFINITY Connect

dmor8@comcast.net

+ Font Size -

Re: Okay! 1 down 2 to go----next item of business Green River Property

From : dmor8@comcast.net

Wed, Aug 29, 2012 05:09 AM

Subject : Re: Okay! 1 down 2 to go----next item of business Green River Property

To : Debra Thornton <dthornton@wwesi.com>

Cc : cmfarmer01@comcast.net, kim morelli <kim.morelli@questar.com>, kmark@merit.com, mike@wardalanemery.com, sherri Smith <sherri.smith@questar.com>, dkmorelli@msn.com, colleent@charter.net, nonism6@comcast.net, marthajoep1@live.com, guy morelli <guy.morelli@mmboleo.com>, margherita27@gmail.com, candievan11@msn.com

Hi Again, Okay were on a roll, now we need to get back to the business of the Green River situation. The paperwork that needed to be signed by everyone has travel the country. It ended up at Carol Jeans house and she & Patti have followed through with having everyone sign it in Salt Lake. Thank you Carol & Patti. I have received a copy of all of our parents death certificates except for uncle Carl & uncle Mike. If you two families will send me a copy I will have all of them. We need to put up \$ 225.00 per family for the anticipated expenses for legal fees, filing with the courts and setting up our Limited Liability Company. I have received monies for Frank, Henry & Kenny if the rest of you will send me your family check made payable to me I will give everyone a full accounting of the money and i will not spend any money for anything without notifying and getting every ones approval.

Our Grandparents came to this country for the American dream. They worked hard, made sacrifices, saved their money and realized their dream on September 20, 1913 when they bought this property, which was their home for many years. Most of their children were born in a small house on this property. Since our grandfathers death his children and now his grandchildren have paid the property taxes for 90 years on this property. Correct the title on this property is not about the money, its not about the value of the property, its not about the time. It is about doing the right thing & not letting our parents and are grandparents down! It may take some time and there might be a few more bumps in the road, but we will get this done---hang in there with me and keep the faith. You guys are an awesome family!

Dennis

From: "Debra Thornton" <dthornton@wwesi.com>

To: dmor8@comcast.net, cmfarmer01@comcast.net, "kim morelli" <kim.morelli@questar.com>, kmark@merit.com, mike@wardalanemery.com, "sherri Smith" <sherri.smith@questar.com>, dkmorelli@msn.com, colleent@charter.net, tonyv@q.com, melventura@msn.com, venturavere@msn.com, vlventura@yahoo.com, nonism6@comcast.net, marthajoep1@live.com, "guy morelli" <guy.morelli@mmboleo.com>, margherita27@gmail.com, candievan11@msn.com

Sent: Tuesday, August 28, 2012 4:21:52 PM

Subject: RE: family fund-----Just one more thing

Excellent idea, Dennis. I, too, think someone from the Ventura family side should be on the account.

From: dmor8@comcast.net [mailto:dmor8@comcast.net]

Sent: Tuesday, August 28, 2012 1:01 PM

To: cmfarmer01@comcast.net; dthornton@wwesi.com; kim morelli; kmark@merit.com; mike@wardalanemery.com; sherri Smith; dkmorelli@msn.com; colleent@charter.net; tonyv@q.com; melventura@msn.com; venturavere@msn.com; vlventura@yahoo.com; nonism6@comcast.net; marthajoep1@live.com; guy morelli; margherita27@gmail.com; candievan11@msn.com

Subject: Re: family fund-----Just one more thing

Hi Everyone, Okay I believe there is just one thing left that we need to address. I believe that we currently have Ralph & Kitty as the signers on the family fund checking account. I think that it would be a good idea to have one of the Ventura family members on the account with Ralph & Kitty also, so if someone from the Ventura family would like to volunteer or if you would like to appoint someone that would be great. Whichever way you decide is fine because we really do need someone from the Ventura family on this account. When you are ready please contact Ralph and he will have your name added to the account.

Thanks everybody