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2014-000091-0

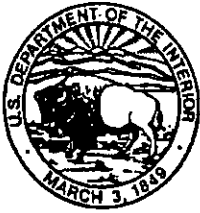
Recording District 415 Nulato

06/30/2014 11:10 AM Page 1 of 11



**THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR THE RECORDING DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.**

**DO NOT DETACH**



United States Department of the Interior  
OFFICE OF HEARINGS AND APPEALS

Probate Hearings Division  
P.O. Box 26147  
Albuquerque, NM 87125  
(505) 563-5330  
(505) 563-5341 (Fax)

IN THE MATTER OF THE ESTATE OF: :  
WILLIAM JOHN SOLOMON SR. :  
 : **PROBATE P000067166IP**  
Deceased Alaska Native :  
Identification No.: 989A006760 : **DECISION**  
 :

After notice served and posted as required by 43 C.F.R., part 30, hearings were held in this matter at Fairbanks, Alaska on August 8, 2012 and at Anchorage, Alaska on December 6, 2013 to determine the validity of the last will of William John Solomon Sr., deceased Alaska Native, and to settle his trust and restricted property estate.

My Findings and Conclusions based upon the evidence of record are as follows:

1. Decedent. William John Solomon Sr., whose last residence was in the State of Alaska, was born February 20, 1942 and died testate on January 30, 2008.

2. Estate Property. Decedent died owning interests in trust or restricted property under the jurisdiction of the Secretary of the Interior. There may have been funds in or due and payable to Decedent's Individual Indian Money ("IIM") account as of the date of death, however the balance of those funds must be verified by the Office of the Special Trustee for American Indians prior to distribution. Any such funds shall be distributed as provided in this decision.

3. Will. A will of the Decedent executed on November 13, 1999 has been presented in this case. The will was signed by the Decedent but the execution of the will was not witnessed. 25 C.F.R. § 15.4 requires that a will disposing of trust or restricted property be witnessed by two, disinterested adult witnesses. Because this will was not witnessed as required by law, it cannot be approved.

A will executed by the Decedent on August 24, 1999, has also been presented in this proceeding. At the hearing on August 8, 2012, Cecelia Solomon objected to this will alleging undue influence by other family members. Cecelia was informed that a supplemental hearing would be scheduled at which time she would have the burden of proving her claims. A supplemental hearing was convened on December 6, 2013 and Cecelia was provided with written notice of the hearing as required by law. Her notice was never returned undelivered therefore I invoke the presumption that she received actual notice of the supplemental hearing. Because she failed to appear, I conclude that she has either withdrawn her objection or has voluntarily waived her right to appear and present evidence to sustain her burden of proof. Because no such evidence has been presented, her objection fails. There were no other objections to the will, which is self-proved. The Decedent's will was properly executed and at the time of execution Decedent possessed testamentary capacity and acted free of undue influence. The will is



approved. By its terms Decedent devised all of his interests in the estate that is subject to this proceeding as follows.

Pursuant to clause SECOND of the will, the Decedent's interest in restricted Native Allotment no. 989F17163 – parcels A and B, shall be distributed to:

Name	Date of Birth	Relation to Decedent	Share	Indian <sup>1</sup>	Eligible <sup>2</sup>
Cecelia Solomon	09/02/1965	Daughter	1/6	Yes	Yes
Wanda Solomon	05/31/1967	Daughter	1/6	Yes	Yes
Estate of Garith Solomon, DOD 01/17/2009	11/20/1969	Son	1/6	Yes	Yes
Madeline Solomon	06/25/1971	Daughter	1/6	Yes	Yes
Clarence Solomon	11/16/1974	Son	1/6	Yes	Yes
<i>Children of predeceased son William Solomon Jr., DOD 08/04/2007</i>					
William Solomon III	01/22/1989	Grandson	1/12	Yes	Yes
Scott Demientieff	04/29/1987	Grandson	1/12	Yes	Yes

Clause THIRD of the will contains a devise of property described as "Lot 5, Block 3, U.S. Survey 4485, Kaltag Townsite." The inventory does not include any property with that precise description but does include property described as "Lot 5, Block 5, U.S. Survey 4485, Kaltag Townsite." I conclude that the discrepancy is scrivener's error. Therefore, pursuant to clause THIRD of the will, the Decedent's interest in the restricted townsite lot described as lot 5, block 5, U.S. Survey no. 4485, Kaltag Townsite, (Tract no. 989F9N1) shall be distributed to:

Name	Date of Birth	Relation to Decedent	Share	Indian	Eligible
Estate of Garith Solomon, DOD 01/17/2009	11/20/1969	Son	All	Yes	Yes

Pursuant to clause FOURTH of the will, the Decedent's interest in restricted Native Allotment no. 989F13398 shall be distributed to:

Name	Date of Birth	Relation to Decedent	Share	Indian	Eligible
Clarence Solomon	11/16/1974	Son	All	Yes	Yes

<sup>1</sup> "Indian" for these purposes means a member or a lineal descendant of a member of a federally recognized Alaska tribe.

<sup>2</sup> An Indian descendant is eligible to have inherited trust property remain in trust.



Pursuant to the residuary clause of the will, all the rest and residue of Decedent's restricted property estate, real or personal, not otherwise distributed in the will, shall be distributed to:

Name	Date of Birth	Relation to Decedent	Share	Indian	Eligible
Cecelia Solomon	09/02/1965	Daughter	1/6	Yes	Yes
Wanda Solomon	05/31/1967	Daughter	1/6	Yes	Yes
Estate of Garith Solomon, DOD 01/17/2009	11/20/1969	Son	1/6	Yes	Yes
Madeline Solomon	06/25/1971	Daughter	1/6	Yes	Yes
Clarence Solomon	11/16/1974	Son	1/6	Yes	Yes
<i>Children of predeceased son William Solomon Jr., DOD 08/04/2007</i>					
William Solomon III	01/22/1989	Grandson	1/12	Yes	Yes
Scott Demientieff	04/29/1987	Grandson	1/12	Yes	Yes

4. Claims. No claims have been filed against this estate.

### ORDER

By the authority vested in the Secretary of the Interior by 25 U.S.C. § 372 and 373 as amended, and other applicable statutes, and pursuant to 43 C.F.R. part 30, it is hereby **ORDERED**:

The Superintendent or other officer in charge shall distribute the estate according to the findings and conclusions in this Decision.

Under 43 C.F.R. §§ 30.232 and 30.234, no written transcript of the hearing was made, the names of those persons who attended the hearing are set forth on the Attendance Roster included in the record, the verbatim recording of the hearing will be retained until the appeal period has expired. I certify that this decision is based upon all the evidence of record in this matter.

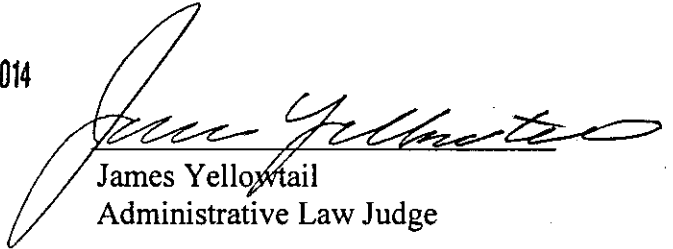


This decision is final for the Department unless a petition for rehearing is properly filed in accordance with 43 C.F.R. § 30.238 (76 FR 7500, 7508, February 10, 2011) within thirty (30) days from the date of this Decision as set forth in the attached notice.

Done at Albuquerque, NM on

MAR 27 2014

RECORDED  
AK LAND TITLES  
AND RECORDS OFFICE

  
James Yellowtail  
Administrative Law Judge

jy

2014 MAR 28 PM 12: 30

BUREAU OF INDIAN AFFAIRS  
ALASKA REGIONAL OFFICE



DATE: 2/02/2012  
 TIME: 17:07:14 CST

BUREAU OF INDIAN AFFAIRS  
 INVENTORY OF DECEDENTS REPORT  
 ALL TITLE HOLDINGS

PAGE: 1 of 5  
 REQUESTOR: DWALLNER

----- OWNER ----- BIRTHDATE: 02/20/1942 DEATHDATE: 01/30/2008  
 TRB CL NUMBER  
 989 A 006760

----- NAMES OR ALIASES -----  
 LAST NAME FIRST NAME MIDDLE NAME  
 SOLOMON ESTATE, Sr. WILLIAM JOHN  
 SOLOMON WILLIAM J.  
 SOLOMON, SR. WILLIAM  
 SOLOMON, SR. WILLIAM J.  
 SOLOMON, SR. WILLIAM JOHN  
 SOLOMON, SR. WILLIAM JOHN

----- TRACT ID ----- TITLE ----- DATE OF LAST -----  
 LAC PFX NUMBER SFX PLANT LAND AREA RESOURCES EXAM DATE VERIFY DATE  
 989 F 13398 ANCHORAGE, AK DOYON Both (Except O & G) 04/22/2004 07/20/2010  
 ROBERT G DEMOSKI, SR

SEC	TOWNSHIP	RANGE	COUNTY	ST	MERIDIAN	LEGAL DESCRIPTION	SECTION ACRES	CUMULATIVE ACRES
6	009.00S	011.00E	NULATO	AK	Kateel River	LOT 999, USS: 13822	4.750	4.750
DESCRIPTION:								
THE "999" FOUND IN THE LOT FIELD IS A PSEUDO CODE AND DOES NOT AFFECT THE TRUE TITLE OF THIS TRACT.								
7	009.00S	011.00E	NULATO	AK	Kateel River	LOT 9, USS: 07401	126.660	131.410
						LOT 999, USS: 13822	23.580	154.990
12	009.00S	010.00E	NULATO	AK	Kateel River	LOT 9, USS: 07401	5.000	159.990
TOTAL SECTION ACRES:							159.990	159.990

- OWNER -	---	DOCUMENT	---	NAME IN WHICH	TOTAL ESTIMATE			
TYP	OT	INT	CLS	TYP	NUMBER	FIRST ACQUIRED	FRACTION ACQUIRED	VALUE
I	R	A	11	IT	SA89N92	SOLOMON SR.WILLIAM	1 12	

Acquired From 989U000850  
 DAYTON DEMOSKI, LENA

\$ 80,000

INDIVIDUAL SHARE MONETARY VALUE	AGGREGATE SHARE CONVERTED TO LCD	AGGREGATE DECIMAL
<u>\$ 6,666.67</u>	1 12	.0833333333

DATE: 2/02/2012  
 TIME: 17:07:15 CST

BUREAU OF INDIAN AFFAIRS  
 INVENTORY OF DECEDENTS REPORT  
 ALL TITLE HOLDINGS

PAGE: 2 of 5  
 REQUESTOR: DWALLNER

TRACT ID	TITLE	DATE OF LAST
LAC PFX NUMBER SFX PLANT	LAND AREA	RESOURCES
EXAM DATE	VERIFY DATE	
989 F 9N1 ANCHORAGE, AK DOYON	Both (Except O & G)	09/03/2009 09/03/2009

WILLIAM J SOLOMON AND LIDWIN M SOLOMON

STATE: AK	COUNTY: NULATO	LOT: 5	BLOCK: 5	SUB-DIVISION:	US\$:	ACRES	CUMULATIVE ACRES
					4485	0.532	0.532

KALTAG TOWNSITE.

TOTAL LOT BLOCK SUB-DIVISION ACRES: 0.532 0.532

- OWNER -	DOCUMENT	NAME IN WHICH	TOTAL ESTIMATE
TYP OT INTCLS TYP NUMBER	FIRST ACQUIRED	FRACTION ACQUIRED	VALUE
I R A 09 SO 2784	SOLOMON WILLIAM J.	1	
		2	

Acquired From 999S000003  
 BLM TOWNSITE TRUSTEE

\$ 6,000

INDIVIDUAL SHARE	AGGREGATE SHARE	AGGREGATE
MONETARY VALUE	CONVERTED TO LCD	DECIMAL
<u>\$ 3,000</u>	1	
	2	.500000000

DATE: 2/02/2012  
 TIME: 17:07:15 CST

BUREAU OF INDIAN AFFAIRS  
 INVENTORY OF DECEDENTS REPORT  
 ALL TITLE HOLDINGS

PAGE: 3 of 5  
 REQUESTOR: DWALLNER

----- TRACT ID -----		TITLE		----- DATE OF LAST -----			
LAC	PFX NUMBER	SFX	PLANT	LAND AREA	RESOURCES	EXAM DATE	VERIFY DATE
989	F	17163A		ANCHORAGE, AK	DOYON	Both (Except O & G)	10/29/2007 10/29/2007

WILLIAM J. SOLOMON, SR.

SEC	TOWNSHIP	RANGE	COUNTY	ST	MERIDIAN	LEGAL DESCRIPTION	SECTION ACRES	CUMULATIVE ACRES
18	012.00S	002.00E	NULATO	AK	Kateel River	LOT 999, USS: 7829	49.000	49.000

DESCRIPTION:

THE "999" FOUND IN THE LOT FIELD IS A PSEUDO CODE AND DOES NOT AFFECT THE TRUE TITLE OF THIS TRACT.

19	012.00S	002.00E	NULATO	AK	Kateel River	LOT 999, USS: 7829	30.980	79.980
TOTAL SECTION ACRES:							79.980	79.980

- OWNER -		--- DOCUMENT ---		NAME IN WHICH		TOTAL ESTIMATE		
TYP	OT	INT	CLS	TYP	NUMBER	FIRST ACQUIRED	FRACTION ACQUIRED	VALUE
I	R	A	38	SO	961	SOLOMON SR.WILLIAM J.	1 1	

Acquired From 975X000999  
 UNITED STATES

\$60,000

INDIVIDUAL SHARE MONETARY VALUE	AGGREGATE SHARE CONVERTED TO LCD	AGGREGATE DECIMAL
<u>\$60,000</u>	1	1.0000000000



DATE: 2/02/2012  
 TIME: 17:07:15 CST

BUREAU OF INDIAN AFFAIRS  
 INVENTORY OF DECEDENTS REPORT  
 ALL TITLE HOLDINGS

PAGE: 4 of 5  
 REQUESTOR: DWALLNER

TRACT ID	TITLE	LAND AREA	RESOURCES	DATE OF LAST EXAM	DATE OF LAST VERIFY
989 F 17163B	ANCHORAGE, AK	DOYON	Both (Except O & G)	10/29/2007	10/29/2007

WILLIAM J. SOLOMON, SR.

SEC	TOWNSHIP	RANGE	COUNTY	ST MERIDIAN	LEGAL DESCRIPTION	SECTION ACRES	CUMULATIVE ACRES
10	014.00S	001.00W	NULATO	AK	Kateel River LOT 999, USS: 7828	25.000	25.000

DESCRIPTION:

THE "999" FOUND IN THE LOT FIELD IS A PSEUDO CODE AND DOES NOT AFFECT THE TRUE TITLE OF THIS TRACT.

15	014.00S	001.00W	NULATO	AK	Kateel River LOT 999, USS: 7828	55.000	80.000
TOTAL SECTION ACRES:						80.000	80.000

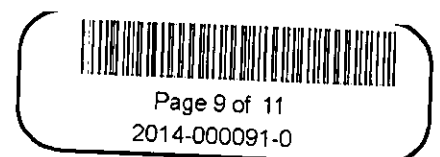
OWNER	DOCUMENT	NAME IN WHICH	TOTAL ESTIMATE
TYP OT INT CLS TYP NUMBER	FIRST ACQUIRED	FRACTION ACQUIRED	VALUE

I R A 38 SO 876	SOLOMON SR. WILLIAM J.	1	1
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Acquired From 975X000999  
 UNITED STATES

\$ 60,000

INDIVIDUAL SHARE MONETARY VALUE	AGGREGATE SHARE CONVERTED TO LCD	AGGREGATE DECIMAL
<u>\$ 60,000</u>	1	1 1.0000000000



DATE: 2/02/2012  
TIME: 17:07:16 CST

BUREAU OF INDIAN AFFAIRS  
INVENTORY OF DECEDENTS REPORT  
ALL TITLE HOLDINGS

PAGE: 5 of 5  
REQUESTOR: DWALLNER

TOTAL MONETARY VALUE: SURFACE \$ 132,667 (2) MINERAL \$ \_\_\_\_\_ BOTH \$ \_\_\_\_\_

OVERALL TOTAL MONETARY VALUE: \$ 132,667 (2)

CERTIFICATION OF VALUE

THE VALUE STATED IN THIS INVENTORY IS AN ESTIMATE AND DOES NOT NECESSARILY REPRESENT THE PRESENT FAIR MARKET VALUE OF THE PROPERTY. FURTHER INVESTIGATION OF THE VALUE MUST BE MADE BEFORE ENTERING INTO ANY NEGOTIATIONS OR CONTRACTS INVOLVING THESE PROPERTIES.

Fairbanks AK

CERTIFYING OFFICER'S LOCATION

3/6/12

DATE

Paul Wray

CERTIFYING OFFICER

LEASES (ADDITIONAL LEASES ON SEPARATE PAGE):

LEASE NUMBER	EXPIRATION DATE	ANNUAL SHARE(\$)
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

CERTIFICATION OF TITLE

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS AN ACCURATE INVENTORY ACCORDING TO THE RECORDS OF THE LAND TITLES AND RECORDS OFFICES OF THE BUREAU OF INDIAN AFFAIRS OF THE TRUST OR RESTRICTED INTERESTS OWNED BY THE ABOVE-NAMED DECEDENT AT THE TIME OF HIS DATE OF DEATH, JANUARY 30, 2008.

2/2/12

DATE

Ulalalle

LAND TITLES AND RECORDS OFFICE

\* \* \* \* END OF REPORT \* \* \* \*




IN REPLY REFER TO:  
LTRO SH/cr

**UNITED STATES**  
**DEPARTMENT OF THE INTERIOR**  
BUREAU OF INDIAN AFFAIRS  
ALASKA REGION  
ALASKA LAND TITLES & RECORDS OFFICE  
3601 C Street, Suite 1100  
Anchorage, Alaska 99503-5947  
(907) 271-1622 FAX (907) 271-4801

THIS IS TO CERTIFY that the foregoing DECISION, Probate  
P000067166, is a full, true, and correct copy of the original as the  
same appears in the records and files of Indian Affairs, Alaska Land  
Titles & Records Office.

IN WITNESS WHEREOF, I have hereunto set my hand on March 31, 2014  
at Anchorage, Alaska.

  
\_\_\_\_\_  
Scott Houk,  
Acting Supervisory Legal Administrative  
Specialist

Return To: Tanana Chiefs Conference  
Attn: Realty  
122 First Avenue, Suite 600  
Fairbanks, Alaska 99701

**NULATO RECORDING DISTRICT**



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