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CASE NO. 97-PB-0097 FILED **168612**

DEPT. NO. I NO. _____

'97 SEP -9 P1:38

BARBARA REED
CLERK

BY GREGORY DEPHY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

In the Matter of the Estate of

FRANCIS J. COCKING, aka
FRANCIS JOHN COCKING

**ORDER SETTING ASIDE ESTATE
WITHOUT ADMINISTRATION**

Deceased.

The Verified Petition of DENNIS M. COCKING ("Petitioner) to set aside the above entitled estate without administration came on regularly before this Court on September 9, 1997 at 1:30 p.m. Petitioner appeared by and through his attorneys SCARPELLO & ALLING, LTD. No person appeared to contest the Petition. Upon proof duly made to the satisfaction of the Court, the Court now finds as follows:

1. Petitioner is the only living heir of the decedent FRANCIS J. COCKING, aka FRANCIS JOHN COCKING (the "Decedent"). The Nevada State Welfare Division has been advised of these proceedings and has no objection to granting of the relief sought.

2. The Decedent is now deceased, died on or about January 31, 1995 leaving real property subject to administration in Douglas County, Nevada.

3. The Decedent's estate subject to probate consists solely of the following:

///

SEP 0 1997
DISTRICT COURT CLERK

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- A. A fifty percent (50%) interest in a note secured by real property in Douglas County, Nevada, a true and correct copy of which is attached hereto and incorporated herein (the Note"); and
- B. Unimproved real property in Eureka County, Nevada identified by Assessor's Parcel No. 605-005 (the "Property").

4. In accordance with NRS 146.070, since the gross value of this estate does not exceed Twenty-Five Thousand Dollars (\$25,000.00), the entire estate should be set over to the claimant entitled thereto in accordance with the Decedent's will dated June 24, 1992, to wit, to "The Cocking Revocable Trust" executed June 24, 1992 (the "Trust"). Petitioner is the successor trustee of the Trust.

The facts of the Petition having been found to be true, and GOOD CAUSE APPEARING, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

A. The Decedent's estate shall be and hereby is set aside without administration and distributed to the Trust pursuant to NRS 146.070, to-wit, the Note and Property shall be and hereby are conveyed to the Trust.

DATED this 9 day of September, 1997.



DISTRICT COURT JUDGE

drc\probate\cocking\order.