

05-400-26
05-300-05
APN# 05-300-01

BOOK *374* PAGE *197-200*
OFFICIAL RECORDS
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Recording Requested by and Return To:

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES *17.00*

Name Barbara Rowland

1851.78

Address 78811 Nettlewood Circle

City/State/Zip Huntington Beach, CA 92646

ORDER TO SET ASIDE
WITHOUT ADMINISTRATION

(Title of Document)

IN THE ESTATE OF MARIE UPCHURCH ANTHONY

This cover page must be typed or printed

JAN 21 2004

Eureka County Clerk
BY JMC Deputy

1 CASE NO. PR-PR-03-12-028
2 Dept. II

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6 IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

8
9 IN THE MATTER OF THE ESTATE OF
10 MARIE UPCHURCH ANTHONY,
11 a.k.a. MARIE ANTHONY,
12 Deceased.

**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**

13 WAYNE H. ANTHONY, filed herein his Petition to Set Aside Without Administration,
14 and Notice of Hearing of said Petition having been given as required by law, the Court hereby
15 finds:

16 1. That Petitioner is over the age of majority, a resident of Aromas, California, and
17 is the surviving son of the above-named Deceased. Petitioner has never been convicted of a
18 felony.

19 2. That the above-named Deceased died intestate on October 16, 1965, in Santa
20 Monica, California, and at the time of her death, she was a resident of Santa Monica, California.
21 A copy of her Certificate of death is attached to the Petition.

22 3. That Decedent died leaving a surviving spouse, as well as issue. That the heirs-at-
23 law of Decedent and their respective relationships and addresses are as follows:

<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>	
Robert H. Anthony 521 Carpenteria Road Aromas, CA 95004-9714	Husband	(Now deceased)
Wayne Anthony 521 Carpenteria Road Aromas, CA 95004-9714	Son	

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NAME AND ADDRESS

RELATIONSHIP

Barbara Rowland
18811 Nettlewood Circle
Huntington Beach, CA 92646

Daughter

4. That at the time of Decedent's death she left a community property interest in an estate consisting of the following described parcels of real property within the County of Eureka, State of Nevada; that the value of such real property does not exceed the sum of \$50,000.00; that all of said Estate is within the jurisdiction of the above entitled Court and more particularly described as follows:

SW ¼ (Lot 4) Section 7; Township 30 North, Range 49 East, M.D.B&M
Approximately 13.89 Acres
Assessor's Parcel Number 05-300-05

NW ¼ Lot 1) Section 7: Township 30 North, Range 49 East, M.D.B&M.
Approximately 13.88 Acres
Assessor's Parcel Number 05-300-01

E ½ SE ¼ SW ¼ Section 13: Township 29 North, Range 48 East, M.D.B&M.
Approximately 10 Acres
Assessor's Parcel Number 05-400-26

TOGETHER WITH any and all buildings and improvements situate thereon.

TOGETHER WITH the tenements, hereditament and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversion, remainder and remainders, rents, issues and profits thereof.

SUBJECT TO all reservations, restrictions or covenants of record.

6. That the total current appraised value of the real property is \$15,240.00, pursuant to Eureka County Assessor's records. Decedent's one-half interest is therefore valued, for the purpose of this proceeding, at \$7,620.00.

7. That Petitioner is informed and believes that, at the time of Decedent's death, there were no liens or encumbrances of record against said parcel of real property. The taxes have been paid through the current tax year, 2003-2004.

8. That the above described real property should be distributed to Decedent's husband, ROBERT H. ANTHONY, as his sole and separate property.

9. That this Petition is made pursuant to NRS 146.070.

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10. That Petitioner has engaged MATTHEWS AND WINES, P.C., to petition this Court in both this matter and in a companion action, and will incur court costs and legal fees; this Court should order payment of the costs incurred herein, together with a reasonable fee, payable to Matthews and Wines, P.C.

11. That any and all other items of real or personal property located in the State of Nevada hereinafter discovered with a value less than \$50,000.00 should be set aside pursuant hereto without further order of this Court to ROBERT H. ANTHONY.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

That the total value of the Estate does not exceed the sum of \$50,000.00, that the same shall not be administered upon, but shall be assigned and set apart, including hereinafter discovered items of real and personal property with a value less than \$50,000.00, to ROBERT H. ANTHONY as his sole and separate property.

DATED this 16th day of January, 2004.

Dan L. Tapp
DISTRICT JUDGE

SEVENTH JUDICIAL DISTRICT COURT } SS
IN AND FOR COUNTY OF EUREKA
STATE OF NEVADA
I, the Undersigned COUNTY CLERK and Ex-Officio CLERK of the SEVENTH JUDICIAL DISTRICT COURT do hereby CERTIFY that the foregoing is a full, true and correct copy of the original on file in my office and that I have carefully compared the same with the original.
WITNESS, My Hand and Seal of said DISTRICT COURT, this 21st day of January 2004
Frances Hill
County Clerk and Ex-Officio Court Clerk
Mary Jackson Deputy Clerk