

BOOK 382 PAGE 144-148
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EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 18⁰⁰

187945

Recording Title Sheet

Document Title: Order to Set Aside an Estate Without
Administration

Assessor's Parcel No(s): 003-095-11

Recording Requested by: Wilson and Barrows, Ltd.
442 Court Street
Elko, Nevada 89801

Send Tax Statements To: Raymond McKinnon
3700 S. Westport Ave., #2311
Sioux Falls, SD 57106

NO.
FILED

MAY 27 2004

Eureka County Clerk
BY Deputy

No. PR-0404-039

Dept. /

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APR 27 2004

EUREKA COUNTY CLERK
AND TREASURER

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

In the Matter of the Estate of
EUGENE REEVES MCKINNON, also
known as **EUGENE R. MCKINNON**,

Deceased.

**ORDER
TO SET ASIDE AN ESTATE WITHOUT
ADMINISTRATION**

Linda H. Holmes filed herein on April 21st, 2004, her Petition to Set
Aside an Estate Without Administration. A Notice of Hearing was given for Friday,
May 21, 2004 at 10:00 a.m. The same came on regularly to be heard. No person
appeared in opposition. The matter was submitted on the verified Petition.

ACCORDINGLY,

THE COURT HEREBY FINDS AND CONCLUDES AS FOLLOWS:

1. Due and legal notice of the filing and hearing of the Petition was
given.
2. All averments in the Petition are true and correct.
3. Petitioner is the surviving daughter of the above named
Decedent.
4. Decedent died on the 31st day of October, 2002, in Anderson,
California.

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EUREKA COUNTY CLERK

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1 5. Decedent died leaving an estate in the County of Eureka, State
2 of Nevada.

3 6. The property in Nevada in which Decedent had an interest is
4 more particularly described as follows:

5 Lot 3 of Block 10 of CRESCENT VALLEY RANCH & FARMS UNIT NO.
6 4, as per map recorded in said County as File No. 34552.

7
8 TOGETHER WITH all buildings and improvements situate thereon.

9
10 Together with the tenements, hereditaments and appurtenances
11 thereunto belonging or in anywise appertaining, the reversion and
12 reversions, remainder and remainders, rents, issues and profits thereof.

13
14 APN: 003-095-11

15 7. Decedent's interest in the property was all of the fee title as his sole
16 and separate property.

17 8. There are no liens and mortgages of record upon the parcel of
18 record at the date of the death of Decedent.

19 9. The gross value of Decedent's interest in the parcel at the time
20 of death of the Decedent did not exceed \$75,000.00, after deducting any
21 encumbrances, and is estimated to be: \$2,610.00.

22 10. There are no debts of Decedent within the State of Nevada so
23 far as known to Petitioner.

24 11. Decedent died without a surviving spouse or minor children.

25 12. Decedent died testate leaving a valid Will.

1 13. The names, ages, relationships, and residences of the heirs at
2 law and next of kin of the Decedent are as follows:

3 NAME	AGE	RELATIONSHIP	ADDRESS
4 Linda H. Holmes	Adult	Daughter	1609 Cedarwood Drive Redding, CA 96003
5 Raymond McKinnon	Adult	Son	3700 S. Westport Ave., #2311 Sioux Falls, SD 57106

6 14. The names and residences of the devisees named in the Will of
7 the Decedent, the age of any who is a minor, and the relationship of the devisees
8 to the Decedent, so far as know to Petitioner are as follows: Linda H. Holmes,
9 Trustee of that certain trust known and designated as "THE EUGENE R.
10 McKINNON TRUST," established by that certain Declaration of Trust dated August
11 21, 1990.

12 15. However, as provided by paragraph 5(a) of said trust, "The
13 Trustee shall distribute, free of trust, all property of the trust estate, if any, which is
14 located in the County of Eureka, State of Nevada, to the Trustor's son, Raymond
15 E. McKinnon." AND GOOD CAUSE APPEARING THEREFOR,

16 IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS
17
18 FOLLOWS:

19 1. Decedent's interest in the above-described property comprising
20 Decedent's estate be, and the same hereby is, set aside to Raymond E. McKinnon
21 as his sole and separate property.

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2. A certified copy of this order shall be placed of record in the
Eureka County Recorder's Office.

DATED May 24, 2004.

Steve L. Dobresca
DISTRICT JUDGE

04040881.bjp
April 23, 2004

SEVENTH JUDICIAL DISTRICT COURT IN AND FOR COUNTY OF EUREKA STATE OF NEVADA	} SS
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 27 th day of May 2004	
<u>Frances Hale</u> County Clerk and Ex-Officio Court Clerk	
<u>[Signature]</u> Deputy Clerk	