

BOOK 425 PAGE 339-344  
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*Robert J. Wines Esq*  
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APN# 002-018-32; 002-023-24; 002-015-10

Recording Requested by and Return To:

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EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES 19 00

**201416**

Order to Set Aside Without Administration  
(Title of Document)

This cover page must be typed or printed

CASE NO. PR-0504-081

OCT 21 2005

Dept. II

BY Eureka County Clerk Deputy

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  
SANDRA E. GARRISON-COOPER, aka  
SANDRA EARLYNE GARRISON-COOPER  
and SANDRA GARRISON,

**ORDER TO SET ASIDE  
WITHOUT ADMINISTRATION**

Deceased.

SHAWN HULL filed herein his Amended Petition to Set Aside Without Administration, and Notice of Hearing of said Petition having been given as required by law, the COURT HEREBY FINDS:

1. That on April 18, 2005 SHAWN HULL filed his Petition to Set Aside Without Administration. Said Petition contained an error in valuation of certain property; that error concerned Petitioner's Grandmother, Darlene Clark, and the Court continued the matter to allow resolution of the valuation issue. On September 23, 2005, SHAWN HULL filed his Amended Petition to Set Aside Without Administration.

2. That Petitioner is over the age of majority, and is a resident of Redding, California. Petitioner has never been convicted of a felony.

3. That the above-named Deceased died testate on November 12, 2004, in Washoe County, Nevada, and at the time of her death, she was a resident of Crescent Valley, Eureka County, Nevada. A copy of her Certificate of Death is contained in the file.

4. That a copy of Decedent's holographic Last Will and Testament, dated September 16, 2003, is contained in the file.

5. That Decedent died leaving a no surviving spouse and two children; that the names

1 and addresses of these heirs-at-law are as follows:

2 NAME AND ADDRESS RELATIONSHIP

3 Shawn Hull Son  
3585 Sunglow Drive  
4 Redding, CA 96001

5 Joy Hull Daughter  
603 N. Clarke St.  
6 Grants Pass, OR 97526

7 6. Additional persons named in Decedent's Last Will and Testament are:

8 NAME AND ADDRESS RELATIONSHIP

9 Shawn Hull, as trustee for Grayson Hull Minor  
3585 Sunglow Drive  
10 Redding, CA 96001

11 Joy Hull as trustee for Madison Hull Minor  
603 N. Clarke St.  
12 Grants Pass, OR 97526

13 Darlyne Clark Decedent's Mother  
14 P. O. Box 211104  
Crescent Valley, NV 89821

15 7. That Decedent's Last Will and Testament provides that SHAWN HULL and JOY  
16 HULL shall be entitled to all of Decedent's property, subject to certain requirements that JOY  
17 HULL hold certain jewelry in trust for her niece, MADISON HULL, and that SHAWN HULL hold  
18 certain tools in trust for his son, GRAYSON HULL. SHAWN HULL and JOY HULL are further  
19 declared to be the owners of a certain 1993 Subaru Legacy, with instruction that DARLYNE  
20 CLARK shall be allowed to use the automobile for as long as she can legally drive; SHAWN HULL  
21 and JOY HULL are the persons entitled to all of Decedent's real property, wherever situate, and  
22 they are the persons entitled to all of the real property hereinafter described. Since the filing of the  
23 original Petition in this matter, DARLENE CLARK has died, and therefore, the Court should order  
24 distribution of this motor vehicle without conditions.

25 8. That at the time of Decedent's death, she left an Estate consisting of the following  
26 described parcels of real property within the County of Eureka, State of Nevada and more  
27 particularly described as follows:

28 ///

1 Parcel 1:

2 Lots 3 & 4 of Block 20, of CRESCENT VALLEY RANCH & FARMS, UNIT 1.  
3 APN: 002-018-32  
4 Street Address: 3059 Crescent Avenue

4 Parcel 2:

5 Lot 14 of Block 4, of CRESCENT VALLEY RANCH & FARMS, UNIT 1.  
6 APN: 002-023-24  
7 Street Address: 5080 Tenabo Avenue

7 Parcel 3:

8 An undivided one-half interest in and to Lot 7 of Block 7, of CRESCENT VALLEY  
9 RANCH & FARMS, UNIT 1.  
10 APN: 002-015-10

10 Street Address: 204 Second Street

11 TOGETHER WITH any and all buildings and improvements situate thereon.

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

14 9. That Decedent only owned a one-half interest in Parcel 3; it is the intent of this  
15 petition to distribute Decedent's interest only, and the co-owner's interest should not be affected.  
16 Likewise, Decedent is not entitled to any interest to the mobile home, located on Parcel 3, which  
17 is owned by the co-tenant in its entirety.

18 10. That in addition, the Decedent died possessed of a computer, office equipment,  
19 furniture and hand and power tools, and a 1993 Subaru Legacy automobile. Decedent's Will  
20 instructs that JOY HULL shall receive the computer, office equipment, furniture, and one set of  
21 hand tools as her sole property and the jewelry, which she shall hold in an informal trust for her  
22 niece, MADISON HULL. Decedent's Will instructs that SHAWN HULL shall receive the  
23 remaining tools; he is instructed that one set of hand tools and all power tools will be held by  
24 SHAWN HULL in an informal trust for the benefit of his son, GRAYSON HULL. JOY HULL and  
25 SHAWN HULL are to receive the 1993 Subaru Legacy automobile, share and share alike, subject  
26 to the instruction that DARLYNE CLARK shall be allowed to use it for "as long as she can legally  
27 drive and maintain the car in good condition and maintain insurance on it." As stated above,  
28 DARLENE CLARK is no longer capable of complying with the conditions, and the motor vehicle

1 should be distributed to SHAWN HULL and JOY HULL without condition.

2 11. That the value of the herein described real and personal property does not exceed the  
3 sum of \$75,000.00; that all of said Estate is within the jurisdiction of the above entitled Court.

4 12. That a copy of the Assessor's real property tax statement for all three parcels are  
5 attached to the Amended Petition, disclosing a value of \$7,600.00 for APN: 002-018-32,  
6 \$11,909.00 for APN: 002-023-24 and \$19,291.00 for APN: 002-015-10. \$8,560.00 is the value of  
7 the mobile home to which Petitioner does not claim any interest, leaving a net value to the real  
8 property and improvements for parcel 002-015-10 of \$10,731.00. Pursuant to the foregoing  
9 calculation, Decedent's one-half interest in the real property (002-015-10) would have a value of  
10 \$5,365.50, rather than the value disclosed in the original Petition; the total value of all real property  
11 is \$24,874.50. The value of the remaining items of personal property, including the motor vehicle,  
12 does not exceed \$3,000.00, which is significantly less than originally asserted and which places to  
13 total value of this estate at \$27,874.50.

14 13. That Petitioner is informed and believes that, at the time of Decedent's death, there  
15 were no liens or encumbrances of record against said parcels of real property.

16 14. That this Petition is made pursuant to NRS 134.050.

17 15. That Petitioner has engaged MATTHEWS AND WINES, P.C., to petition this Court,  
18 and will incur court costs and legal fees; this Court should order Petitioner to reimburse the costs  
19 incurred herein and to pay to MATTHEWS AND WINES, P.C., a reasonable fee in the sum of  
20 \$450.00.

21 16. That any and all other items of real or personal property hereinafter discovered with  
22 a value less than \$75,000.00 should be set aside pursuant hereto without further order of this Court  
23 to SHAWN HULL and JOY HULL, share and share alike.

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

25 1. That the total value of the Estate does not exceed the sum of \$75,000.00, that the  
26 same shall not be administered upon, but shall be assigned and set apart, including hereinafter  
27 discovered items of real and personal property with a value less than \$75,000.00 as follows:

28 A To JOY HULL, the computer, office equipment, furniture, and one set of

1 hand tools as her sole property and the jewelry, which she shall hold in an informal trust for her  
2 niece, MADISON HULL.

3 B. To SHAWN HULL, all the remaining tools; he is instructed that one set of  
4 hand tools and all power tools will be held by him in an informal trust for the benefit of his son,  
5 GRAYSON HULL.

6 C. To JOY HULL and SHAWN HULL, share and share alike, the 1993 Subaru  
7 Legacy automobile.

8 D. To JOY HULL and SHAWN HULL, share and share alike, Decedent's  
9 interest in the following real property, share and share alike:

10 Parcel 1:

11 Lots 3 & 4 of Block 20, of CRESCENT VALLEY RANCH & FARMS, UNIT 1.  
12 APN: 002-018-32  
13 Street Address: 3059 Crescent Avenue

14 Parcel 2:

15 Lot 14 of Block 4, of CRESCENT VALLEY RANCH & FARMS, UNIT 1.  
16 APN: 002-023-24  
17 Street Address: 5080 Tenabo Avenue

18 E. All of Decedent's interest in and to any and all hereinafter discovered items  
19 of real and personal property with a value less than \$75,000.00 shall be distributed to JOY HULL  
20 and SHAWN HULL, share and share alike.

21 F. Payment of a reasonable attorney fee, in the sum of \$450.00, together with  
22 costs of suit, to MATTHEWS AND WINES, P.C., is hereby ordered and confirmed by this Court.

23 DATED this 21 day of October, 2005.

24   
DISTRICT JUDGE

25  
26  
27  
28

CLERK OF DISTRICT COURT  
SAN FRANCISCO

WITNESS My Hand and Seal of said  
DISTRICT COURT, this 21st day of October, 2005  
Frances Gale  
County Clerk and Ex-Officio Court Clerk  
Barry J. Smith Deputy Clerk

201416

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