

BOOK 425 PAGE 339-344
OFFICIAL RECORDS
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Robert J. Wines Esq
2005 OCT 27 PM 1:21

APN# 002-018-32; 002-023-24; 002-015-10

Recording Requested by and Return To:

Name Robert J. Wines, Esq.

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City/State/Zip Elko, NV 89801

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 19⁰⁰

201416

Order to Set Aside Without Administration
(Title of Document)

This cover page must be typed or printed

1 CASE NO. PR-0504-081

OCT 21 2005

2 Dept. II

BY Eureka County Clerk Deputy
[Signature]3
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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
89 IN THE MATTER OF THE ESTATE OF
10 SANDRA E. GARRISON-COOPER, aka
11 SANDRA EARLYNE GARRISON-COOPER
and SANDRA GARRISON,**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**12 Deceased.
1314 SHAWN HULL filed herein his Amended Petition to Set Aside Without Administration,
15 and Notice of Hearing of said Petition having been given as required by law, the COURT HEREBY
16 FINDS:17 1. That on April 18, 2005 SHAWN HULL filed his Petition to Set Aside Without
18 Administration. Said Petition contained an error in valuation of certain property; that error
19 concerned Petitioner's Grandmother, Darlene Clark, and the Court continued the matter to allow
20 resolution of the valuation issue. On September 23, 2005, SHAWN HULL filed his Amended
Petition to Set Aside Without Administration.21 2. That Petitioner is over the age of majority, and is a resident of Redding, California.
22 Petitioner has never been convicted of a felony.23 3. That the above-named Deceased died testate on November 12, 2004, in Washoe
24 County, Nevada, and at the time of her death, she was a resident of Crescent Valley, Eureka County,
25 Nevada. A copy of her Certificate of Death is contained in the file.26 4. That a copy of Decedent's holographic Last Will and Testament, dated September
27 16, 2003, is contained in the file.

28 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:

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Parcel 1:

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

Parcel 2:

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

Parcel 3:

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

Street Address: 204 Second Street

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.

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

10. That in addition, the Decedent died possessed of a computer, office equipment, furniture and hand and power tools, and a 1993 Subaru Legacy automobile. Decedent's Will instructs that JOY HULL shall receive the computer, office equipment, furniture, and one set of hand tools as her sole property and the jewelry, which she shall hold in an informal trust for her niece, MADISON HULL. Decedent's Will instructs that SHAWN HULL shall receive the remaining tools; he is instructed that one set of hand tools and all power tools will be held by SHAWN HULL in an informal trust for the benefit of his son, GRAYSON HULL. JOY HULL and SHAWN HULL are to receive the 1993 Subaru Legacy automobile, share and share alike, subject to the instruction that DARLYNE CLARK shall be allowed to use it for "as long as she can legally drive and maintain the car in good condition and maintain insurance on it." As stated above, 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.

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JUDICIAL DISTRICT COURT
SANTA CLARA COUNTY
SAN JOSE, CALIFORNIA
I, the undersigned COUNTY CLERK and Ex-Officio
JUDICIAL DISTRICT COURT do hereby CERTIFY
that the foregoing is a true and correct copy of the original on file in
my office. I have carefully compared the same with the
original.
WITNESS My Hand and Seal of said
DISTRICT COURT, this 21st day of October, 2005
Francess Gale
County Clerk of J Ex-Officio Court Clerk
Karyn J. Smith Deputy Clerk

Dan L. Fapy
DISTRICT JUDGE

201416

BOOK 4 25 PAGE 344