

BOOK 433 PAGE 37-41
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2006 MAR -8 PM 1:23

APN# 005-520-11

Recording Requested by and Return To:

Name PAMELA ANN LITZ

Address 466 BOSLEY

City/State/Zip SANTA ROSA, CA 95407

EUREKA COUNTY, NEVADA
M.N. REALEATI, RECORDER
FILE NO. FEES 78⁰⁰

203889

ORDER TO SET ASIDE WITHOUT ADMINISTRATION
(Title of Document)

This cover page must be typed or printed

NO.

FILED

1 CASE NO. PR-06-02-095

MAR 3 2006

2
3 BY Eureka County Clerk
Deputy

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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 JANET LILLIAN MORRIS, aka
11 JANET MORRIS,

**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**

12 Deceased.

13 PAMELA ANN LITZ, filed herein her Petition to Set Aside Without Administration, and
14 Notice of Hearing of said Petition having been given as required by law, the Court hereby finds:

15 1. That Petitioner is over the age of majority, and is a resident of Santa Rosa, California.
16 Petitioner has never been convicted of a felony. Petitioner is the surviving child of the above named
17 Deceased.

18 2. That the above-named Deceased died testate on August 17, 2005, in Woodland,
19 California, and at the time of her death, she was a resident of Woodland, California. A copy of her
20 Certificate of Death is attached to the Petition.

21 3. That Decedent died leaving no surviving spouse and one child; that the pre-deceased
22 child did not have any children at the time of his death; that the heirs-at-law of Decedent, and their
23 respective relationships and addresses are as follows:

| <u>NAME</u> | <u>RELATIONSHIP</u> |
|---|---------------------|
| 25 Pamela Ann Litz 466 Bosley 26 Santa Rosa, CA 95407 | Daughter |
| 27 Jeffrey R. Thurston | Deceased |

28 ///

1 Jim Roe Francis Thurston
167 Elm Street
2 Woodland, CA 95695

Named in the Will

3 4. That Decedent's Last Will and Testament, a copy of which is attached to the Petition,
4 fails to make a valid disposition of the property, and therefore, the property should be distributed
5 pursuant to NRS 134.090, which states: "If the Decedent leaves no surviving spouse, but there is a
6 child or children, the Estate, if there is only one child, all goes to that child."

7 5. That at the time of her death, JANET MORRIS held an undivided one-quarter interest
8 in and to the following parcels of real property:

9 A. A parcel of land, located in the County of Eureka, State of Nevada, described
10 as follows:

11 TOWNSHIP 29 NORTH, RANGE 49 EAST, M.D.B&M.

12 Section 19: W $\frac{1}{2}$ of NW $\frac{1}{4}$ (Lots 1 & 2)

13 EXCEPTING THEREFROM all petroleum, oil, natural gas and products derived
14 therefrom, within or underlying said land or that may be produced therefrom, and all
15 rights, thereto, together with the exclusive right at all times to enter upon or in said
16 land to prospect for and to drill, bore, recover and remove the same, as reserved by
17 SOUTHERN PACIFIC LAND CO., in Deed recorded September 24, 1951, in Book
18 24 of Deeds at Page 168, Eureka County, Nevada records.

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

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

23 SUBJECT TO all conditions, covenants, easements, exceptions, reservations,
24 restrictions, and rights of way of record.

25 APN: 005-520-11

26 B. A parcel of land, located in the County of Lander, State of Nevada, described
27 as follows:

28 TOWNSHIP 30 NORTH, RANGE 48 EAST M.D.B&M.

Section 7: The Easterly 80 acres of the SE $\frac{1}{4}$

EXCEPTING THEREFROM all petroleum, oil, natural gas and products derived
therefrom, within or underlying said land or that may be produced therefrom, and all
rights, thereto, together with the exclusive right at all times to enter upon or in said
land to prospect for and to drill, bore, recover and remove the same, as reserved by
SOUTHERN PACIFIC LAND CO., in Deed recorded October 2, 1951, in Book 64

1 of Deeds at Page 313, Lander County, Nevada records.

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

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

5 SUBJECT TO all conditions, covenants, easements, exceptions, reservations,
6 restrictions, and rights of way of record.

7 APN: 007-130-06

8 6. That Decedent's value in the described parcel of real property does not exceed the
9 sum of \$75,000.00; the property located in Eureka County has a value of \$5,500.00 and the property
10 in Lander County has a value of \$6,000.00; therefore, Decedent's value in the property is a total of
11 \$2,875.00 (an undivided ¼ interest).

12 7. That the person entitled to the property hereinabove described is PAMELA ANN
13 LITZ, Decedent's sole surviving child.

14 8. 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 parcel of real property.

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

17 10. 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 11. 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 PAMELA ANN LITZ.

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 to PAMELA ANN
28 LITZ.

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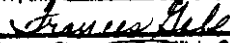

2. For a reasonable attorney fee of \$400.00, payable to MATTHEWS AND WINES, P.C., together with all costs incurred in this matter.

DATED this 3rd day of MARCH, 2006.


DISTRICT JUDGE

203889

BOOK 433 PAGE 041

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| 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. | |
| DISTRICT COURT, this <u>3rd</u> day of <u>March</u> , 2006 | WITNESS, My Hand and Seal of said |
|  County Clerk and Ex-Officio Court Clerk |  Deputy Clerk |