

Official Record

Recording requested By
NEIL HAINES THOMAS

Eureka County - NV
Mike Rebaleati - Recorder

Fee: \$17.00

Page 1 of 4

RPTT:

Recorded By: FS

Book- 0473 Page- 0130

APN: 010-540-04

Recording Requested By:
Send Tax Statement To:

Name: Neil Haines Thomas

Address: 14692 Danborough Rd.

City, State, Zip: Tustin, CA 92780



0211897

Order to Set Aside Without Administration
(Title of Document)

Please complete the cover page, check one of the following and sign below.

I the undersigned hereby affirm that this document submitted for recording does not contain a social security number.

OR

I the undersigned hereby affirm that this document submitted for recording contains a social security number of a person as required by law:

(Law).

Robert J. Miller
Signature

Mike Rebaleati
Title

This page is added to provide additional information required by NRS 111.312 Sections 1-2.
(Additional recording fees applies)
This cover page must be typed or printed.

MAY 20 2008

Eureka County Clerk
BY *Heavena M. Cantelmo* Deputy

1 CASE NO. PR-PR-0802-149

2
3 Affirmation:
4 Document does not contain
any social security numbers

5
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 LEE WARD THOMAS,

**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**

11 Deceased.

12 Petitioner, NEIL HAINES THOMAS, filed herein his Petition to Set Aside Without
13 Administration, and Notice of Hearing of said Petition having been given as required by law, the
14 Court hereby finds:

15 1. That Petitioner is over the age of majority, and is a resident of Tustin, California.
16 Petitioner has never been convicted of a felony. The Petitioner is the surviving brother of the above
17 named Decedent.

18 2. That the above-named Decedent died intestate on October 4, 2007, in Chaffee
19 County, Buena Vista, Colorado, and at the time of his death, he was a resident of Arvada, Colorado.
20 A copy of his Certificate of Death is attached to the Petition as Exhibit "1".

21 3. That Decedent died leaving a spouse and two (2) children; both of the surviving
22 children are adults; that the heirs-at-law of Decedent, and their respective relationships and addresses
23 are as follows:

<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>
Hillary Thomas 6616 Ward Road Arvada, CO 80004	Spouse
Shawn Thomas P.O. Box 898 LaPine, OR 97739	Son

1 NAME AND ADDRESS

RELATIONSHIP

2 Kyle Thomas
3 P.O. Box 898
4 LaPine, OR 97739

Son

4 4. At the time of his death, LEE WARD THOMAS held a one-half (1/2) interest title to
5 the following parcel of property located in the County of Eureka, State of Nevada, described as
6 follows:

7 TOWNSHIP 31 NORTH, RANGE 48 EAST, M.D.B.&M.

8 Section 19: SW1/4NW1/4 (Lot 2)

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

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

12 SUBJECT TO any and all exceptions, reservations, restrictions, restrictive covenants,
13 assessments, easements, rights and rights of way of record.

13 APN: 010-540-04

14 6. That Decedent's value in the described parcel of real property does not exceed the
15 sum of \$75,000.00. A copy of the Eureka County Declaration of Value, for a Deed recorded on
16 August 3, 2007, is attached to the Petition as Exhibit "2". The declared value the real property
17 pursuant to said Declaration is \$4,500.00; therefore Decedent's one-half (1/2) interest is valued at
18 \$2,250.00.

19 7. Pursuant to NRS 134.040, if the Decedent leaves a surviving spouse and more than
20 one (1) child, the Estate is distributed one-third (1/3) to the surviving wife, and two-thirds (2/3) to the
21 surviving children. The surviving wife has executed and delivered a Disclaimer/Assignment of
22 Interest, assigning her interest in Decedent's property; therefore the persons entitled to the property
23 hereinabove described are: SHAWN THOMAS and KYLE THOMAS, share and share alike.

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

26 9. That this Petition is made pursuant to NRS 146.090.

27 10. That Petitioner has engaged ROBERT J. WINES, PROF. CORP., to petition this
28 Court, and will incur court costs and legal fees; this Court should order Petitioner to reimburse the

1 costs incurred herein and to pay to ROBERT J. WINES, PROF. CORP., a reasonable fee in the sum
2 of \$500.00.

3 11. That any and all other items of real or personal property hereinafter discovered with
4 a value less than \$75,000.00 should be set aside pursuant hereto without further order of this Court
5 to SHAWN THOMAS and KYLE THOMAS, share and share alike.

6 NOW THEREFORE, it is hereby the Order of this Court that the total value of the Estate
7 does not exceed the sum of \$75,000.00, that the same shall not be administered upon, but shall be
8 assigned and set apart including hereinafter discovered items of real and personal property with a
9 value less than \$75,000.00, to SHAWN THOMAS and KYLE THOMAS, share and share alike, and
10 for a reasonable attorney fee of \$500.00, payable to ROBERT J. WINES, PROF. CORP., together
11 with costs of suit.

12 DATED this 19 day of May, 2008.

13 /s/ J. Dobrescu
14 DISTRICT JUDGE

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24 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.
DISTRICT COURT, this 20th WITNESS My Hand and Seal of said
day of May 2008

County Clerk and Ex-Officio Court Clerk
Jelena M. Carter Deputy Clerk

**STATE OF NEVADA
DECLARATION OF VALUE**

DOC # DV-211897

05/29/2008 03:04 PM

Official Record

Recording requested By
NEIL HAINES THOMAS

FOR RECOR	Eureka County - NV
Document/Book: _____	Mike Rebaleati - Recorder
Date of Rec: _____	Page 1 of 1 Fee: \$17.00
Notes: _____	Recorded By: FS RPTT
	Book-- 0473 Page-- 0130

1. Assessor Parcel Number (s)

- a) 010-540-04
- b) _____
- c) _____
- d) _____

2. Type of Property:

- | | |
|----------------------------------------------------|---------------------------------------------|
| a) <input checked="" type="checkbox"/> Vacant Land | b) <input type="checkbox"/> Single Fam Res. |
| c) <input type="checkbox"/> Condo/Twnhse | d) <input type="checkbox"/> 2-4 Plex |
| e) <input type="checkbox"/> Apt. Bldg. | f) <input type="checkbox"/> Comm'/Ind'l |
| g) <input type="checkbox"/> Agricultural | h) <input type="checkbox"/> Mobile Home |
| i) <input type="checkbox"/> Other | |

3. Total Value/Sales Price of Property:

Deed in Lieu of Foreclosure Only (value of property) \$ _____
 Transfer Tax Value: \$ _____
 Real Property Transfer Tax Due: \$ 0.00

4. If Exemption Claimed:

- a. Transfer Tax Exemption, per NRS 375.090, Section: 5
- b. Explain Reason for Exemption: transfer cfrom parent to child

5. Partial Interest: Percentage being transferred: _____ %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature Robert J. Hines Capacity Attorney
 Signature _____ Capacity _____

SELLER (GRANTOR) INFORMATION

(REQUIRED)

Print Name: Lee Ward Thomas
 Address: P.O. Box 898
 City: LaPine,
 State: OR Zip: 97739

BUYER (GRANTEE) INFORMATION

(REQUIRED)

Print Name: Shawn and Kyle Thomas
 Address: P.O. Box 898
 City: LaPine,
 State: OR Zip: 97739

COMPANY/PERSON REQUESTING RECORDING

(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: _____ Escrow # _____
 Address: _____
 City: _____ State: _____ Zip: _____

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED)