DOC # 0217792

Record Recording requested By ROBERT J WINES PC **APN:** 006-220-04 Eureka County - NV Mike Rebaleati - Recorder Fee: \$17.00 Page 1 of 4 Recorded By: FES Book-517 Page-**Recording Requested By:** Robert J. Wines, Prof. Corp. Send Tax Statements To: Name: John O. West & Watoina M. Downing Address: 28150 Black Gold Way City, State, Zip: Tehachapi, CA 93561 After Recording Return To: Name: Robert J. Wines, Prof. Corp. Address: 687 6th Street, Suite 1 City, State, Zip: Elko, NV 89801 Order to Set Aside Without Administration (Title of Document) Please complete Affirmation Statement below: I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons. (Per NRS 239B.030) - or -I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law: DATED this 21st day of July, 2011.

ERIC M. MORLEY, ES

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1	CASE NO. PR-1106-211	JUL 152011
2		Eureka County Clerk
		Ву
3	AFFIRMATION:	
4	Pursuant to NRS239B.030 this document does not contain a social security number of any person.	\ \
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		ER TO SET ASIDE HOUT ADMINISTRATION
10	RUBY ANN BLACKWELL	IOUT ADMINISTRATION
11	Deceased.	
12		
13	Petitioner, JOHN O. WEST, filed herein his Petition to Set Aside Without Administration	
14	of Estate and Notice of Hearing of said Petition having been given as required by law, the Court	
15	hereby finds:	
16	1. That Petitioner is over the age of majority, and is a resident of Tehachapi, California.	
17	Petitioner has never been convicted of a felony. The Petitioner is the surviving son of the above	
18	named Deceased.	
19	2. That the above-named Deceased died intestate on July 7, 2010, in Phelan, California	
20	and at the time of her death, she was a resident of California. A copy of her Certificate of Death is	
21	attached to the Petition as Exhibit "1" and incorporated by this reference.	
22	3. That Decedent died leaving no spouse but two children; that the heirs-at-law of	
23	Decedent and their respective relationship and address are as follows:	
24	NAME AND ADDRESS RELATIONS	<u>SHIP</u>
25	John O. West Son	
26	28150 Black Gold Way Tehachapi, CA 93561	
27	Watonia M. Downing Daugh	ter i
28	P.O. Box 290994 Phelan, CA 92329 RECEIVED	0217792 Book:517 07/25/201
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Livic County Glerk & Treasurer 4. At the time of Decedent's death she owned an undivided interest in the following described parcels of real property located in the County of Eureka, State of Nevada; that the value of such real property does not exceed the sum of \$100,000.00; that all of said Estate is within the jurisdiction of the above entitled Court and more particularly described as follows:

The Northeast quarter (NE½) of the Northwest quarter (NW½) of Section Eight (8), Township Twenty-Five (25) North, Range Fifty-Three (53) East, MDB & M, containing Forty (40) acres more or less, according to the Official Plat of the Survey of the Public Lands, as made by the United States Surveyor General of the District of Nevada.

Also known as: T25N, R53E, Sec. 8 NE4NW4.

PROVIDED, that all mines of Gold, Silver, Copper, Lead, Cinnabar and other valuable minerals which may exist in the said tract, EXCEPT GAS, COAL, OIL AND OIL SHALES (Chap. 172, Stats. 1921); AND, also a right of way for ditches, tunnels and Telephone and Transmission Lines constructed by authority of the United States of America are hereby expressly RESERVED, in accordance with Patent No. 12782 of the State of Nevada, Dated May 16th, 1952, and recorded in the Official Records of Eureka County, State of Nevada, June 25th, 1952.

TOGETHER WITH any and all buildings and improvements situate thereon.

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

SUBJECT to all exceptions, reservations, restrictions, restrictive covenants, assessments, easements, rights and rights of way of record.

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- 5. That Decedent's value in the described parcel of real property does not exceed the sum of \$100,000.00. A copy of the Eureka County Assessor's Secured Property Detail for the above parcel is attached to the Petition as Exhibit "2" and incorporated herein by reference; pursuant thereto, the appraised value of the property is \$11,440.
- 6. Pursuant to NRS 134.090 if there is no surviving spouse and more than one child, the Estate is distributed to the children, share and share alike.
- 7. That pursuant to the foregoing, the persons entitled to all of the property hereinabove described are JOHN O. WEST and WATONIA M. DOWNING, share and share alike.
- 8. That Petitioner is informed and believes that, at the time of Decedent's death, she had no outstanding debts in the State of Nevada.

- 9. That Petitioner is informed and believes that, at the time of Decedent's death, there were no liens or encumbrances of record against said parcel of real property.
 - 10. That this Petition is made pursuant to NRS 146.070.
- 11. That Petitioner has engaged ROBERT J. WINES, PROF. CORP., to petition this Court, and will incur court costs and legal fees; this Court should order Petitioner to pay to ROBERT J. WINES, PROF. CORP., a reasonable fee in the sum of \$600.00, together with all costs incurred.
- 12. That any and all other items of real or personal property hereinafter discovered with a value less than \$100,000.00 should be set aside pursuant hereto without further order of this Court to JOHN O. WEST and WATONIA M. DOWNING, share and share alike.

NOW THEREFORE, it is hereby the Order of this Court that the total value of the Estate does not exceed the sum of \$100,000.00, that the same shall not be administered upon, but shall be assigned and set apart including hereinafter discovered items of real and personal property with a value less than \$100,000.00, to JOHN O. WEST and WATONIA M. DOWNING, share and share alike, and a reasonable attorney fee of \$600.00, be made payable to ROBERT J. WINES, PROF. CORP., together with all costs incurred.

DATED this <u>15</u> day of July, 2011.

SIStrue L. Dobrescu DISTRICT JUDGE

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

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I, the Undersigned COUNTY CLERK and Ex-Officio CLERK of the SEVENTH JUDICIAL DISTRICT COURT do hereby GERTERY that the foregoing is a full, true and correct copy of the original on file at my office and that I have carefully compared the same with the

DISTRICT COURT, this 1544 WITNESS, My Hand and Seal of soil

3... Court Clerk and Ex-Officio Court Clerk

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