

APN: 002-049-02

**Send tax statements to:**

**Sam Pemelton  
1076 River Street  
Elko, NV 89801**

**Recording requested by:  
Copenhaver & McConnell, P.C.  
950 Idaho Street  
Elko, NV 89801  
(775) 738-1951**

**DOC # 0219593**

02/23/2012 01:22 PM

**Official Record**

Recording requested By  
COPENHAVER & MCCONNELL PC

**Eureka County - NV**

**Mike Rebaleati - Recorder**

Fee: \$21.00

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RPTT:

Recorded By: FES

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**ORDER AND DECREE SETTING ASIDE ESTATE  
WITHOUT ADMINISTRATION PURSUANT TO  
NRS 146.070**

**AFFIRMATION STATEMENT**

The undersigned hereby affirms that the foregoing pleading, including any exhibits, DOES NOT contain the Social Security number of any person or persons.

  
\_\_\_\_\_  
**KATIE HOWE MCCONNELL**

FEB 03 2012

Eureka County Clerk

By *Deanna M. Lamb*

1 CASE NO. PR 1201-224

2 DEPT NO. 1

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5  
6 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF EUREKA  
8

9  
10 IN THE MATTER OF THE ESTATE OF  
11 **JACK DAVIS PEMELTON** aka **JACK**  
**PEMELTON,**

ORDER AND DECREE SETTING  
ASIDE ESTATE WITHOUT  
ADMINISTRATION PURSUANT  
TO NRS 146.070

12 Deceased.

13  
14 The verified Petition to Set Aside Estate Without  
15 Administration pursuant to NRS 146.070 filed by **SAM JAMES DAVIS**  
16 **PEMELTON** on January 12, 2012, having come on regularly to be heard  
17 on the day of February 5, 2012, at the hour of 10:00 a.m., the  
18 Court finds that:

19 1. Notice of the hearing was given for the period of  
20 time and in the manner required by law.

21 2. The allegations of the Petition are true and  
22 correct.

23 3. **JACK DAVIS PEMELTON** aka **JACK PEMELTON** died in the  
24 City of Winnemucca, County of Humboldt, State of Nevada, on the  
25 28th day of October, 2011, and was at the time of his death over  
26 the age of majority and a resident of the County of Eureka, State  
27 of Nevada.

28 4. The Petitioner is the surviving son of the Decedent,

**RECEIVED**

JAN 25 2012

Eureka County  
Clerk & Treasurer



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1 JACK DAVIS PEMELTON aka JACK PEMELTON. The Petitioner is over the  
2 age of majority and a resident of the State of Nevada.

3 5. That the Decedent died testate. The last will and  
4 testament was lodged with the Court Clerk and was attached to the  
5 Petition, together with a copy of the Trust Agreement executed by  
6 JACK DAVIS PEMELTON aka JACK PEMELTON.

7 6. The names, ages, relationships and addresses of the  
8 heirs, devisees and legatees of said Decedent, are:

| 9  | <u>NAME</u>                 | <u>AGE</u> | <u>RELATIONSHIP</u> | <u>ADDRESS</u>                                     |
|----|-----------------------------|------------|---------------------|--|
| 10 | SAM JAMES DAVIS PEMELTON    | Adult      | Son                 | 221 Springfield Pkwy.<br>Spring Creek, NV 89815    |
| 11 | RONDINNA LEE PEMELTON FROST | Adult      | Daughter            | P.O. Box 211339<br>Crescent Valley, NV 89821       |
| 12 | RADONYA DEE PEMELTON MANN   | Adult      | Daughter            | 836 N.W. Greeley St.<br>Camas, WA 98607            |
| 13 | ROBERTA JAYE PEMELTON WHITE | Adult      | Daughter            | 494 Shadybrook Dr.<br>Spring Creek, NV 89815       |
| 14 | EARL PEMELTON               | Adult      | Brother             | 7230 Cloudburst<br>Winnemucca, NV 89445            |
| 15 | MERLE PEMELTON              | Adult      | Brother             | 1763 Robertson Bridge Rd.<br>Grants Pass, OR 97526 |

16 7. The following is a specific description of all the  
17 Decedent's property located in the County of Eureka, State of  
18 Nevada:

19 APN: 002-049-02

20 Lot 3, Block 36, Crescent Valley Ranch & Farms Unit 1, as  
21 per map recorded in the office of the County Recorder of  
22 Eureka County, Nevada, as File No. 34081.

23 EXCEPTING THEREFROM all petroleum, oil, natural gas and  
24 products derived therefrom, within or underlying said  
25 land or that may be produced therefrom, and all rights  
26 thereto, as reserved by Southern Pacific land Company in  
27 Deed to H.J. Buchenau and Elsie Buchenau, recorded  
28 September 24, 1951, in Book 24, of Deeds at Page 168,  
Eureka County, Nevada.



1 TOGETHER WITH any and all improvements situated thereon.

2 TOGETHER WITH all and singular the tenements,  
3 hereditaments, easements, and appurtenances thereunto  
4 belonging or in anywise appertaining, and the reversions,  
remainders, rents, issues and profits thereof, or of any  
part thereof.

5 SUBJECT TO all taxes and assessments, reservations,  
6 exceptions, easements, rights of way, limitations,  
covenants, conditions, restrictions, and licenses  
7 affecting the property of record.

8 8. That the following is a specific description of all  
9 the Decedent's property located in the County of Lander, State of  
10 Nevada:

11 APN: 007-660-08

12 Lot 12 of Section 31, Township 29 North, Range 48 East,  
13 M.D.B. & M.

14 TOGETHER WITH any and all improvements situated thereon.

15 TOGETHER WITH all and singular the tenements,  
16 hereditaments, easements, and appurtenances thereunto  
belonging or in anywise appertaining, and the reversions,  
remainders, rents, issues and profits thereof, or of any  
part thereof.

17 SUBJECT TO all taxes and assessments, reservations,  
18 exceptions, easements, rights of way, limitations,  
19 covenants, conditions, restrictions, and licenses  
affecting the property of record.

20 9. That the following is a specific description of all  
21 the Decedent's personal property located in the County of Eureka,  
22 State of Nevada:

23 1- 1974 Tamarack Single Wide, Serial Number 164966D7056

24 1999 Dodge Ram 2500 pickup truck VIN: 1B7KF2364XJ503604

25 10. That the interest in the above-described property  
26 was the sole and separate property of the Decedent, **JACK DAVIS**  
27 **PEMELTON** aka **JACK PEMELTON**, at the time of his death.

28 11. That there are loans on the above-described property

1 as follows:

2 Loan at Elko Federal Credit Union on Dodge pickup truck:

3 \$3,294.48

4 **Total Liens: \$3,294.48**

5 12. That the real and personal property be set aside to  
6 **SAM JAMES DAVIS PEMELTON** as the Successor Trustee of the **JACK AND**  
7 **JANET PEMELTON LIVING TRUST dated April 7, 1995**, so that he may  
8 finalize the Trust of the Decedent.

9 13. That the value of the property, minus encumbrances  
10 is less than \$100,000.00.

11 14. There are no liens or encumbrance on the real  
12 property other than accruing taxes.

13 15. All debts, charges and expenses of the last illness  
14 and funeral expenses of the Decedent have been paid.

15 16. **COPENHAVER & MCCONNELL, P.C.**, Attorneys at Law,  
16 Elko, Nevada, has performed services for said Estate acting as and  
17 for attorney for the Petitioner and is entitled to a fee in the sum  
18 of \$1,250.00 plus costs advanced.

19 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

20 1. Due and legal notice of the hearing of said Petition  
21 to Set Aside Estate Without Administration pursuant to NRS 146.070  
22 has been given to or waived by all persons interested in said  
23 Estate or who are entitled to notice thereof for the time and in  
24 the manner required by law.

25 2. The gross value of the Estate after deducting any  
26 encumbrances, does not exceed the sum of \$100,000.00, and that all  
27 right, title and interest of the Deceased, **JACK DAVIS PEMELTON** aka  
28 **JACK PEMELTON**, in and to the above-described real and personal



1 property was his sole and separate property.

2 3. In accordance with NRS 146.070, all right, title and  
3 interest of **JACK DAVIS PEMELTON** aka **JACK PEMELTON** in and to the  
4 above-described real and personal property be assigned and set  
5 aside to **SAM JAMES DAVIS PEMELTON** as the Successor Trustee of the  
6 **JACK AND JANET PEMELTON LIVING TRUST** dated April 7, 1995, so that  
7 he may finalize the Trust of the Decedent.

8 4. In accordance with NRS. 146.070, the interests of  
9 **JACK DAVIS PEMELTON** aka **JACK PEMELTON**, Decedent, in and to any and  
10 all other property, real or personal, of any name, nature, kind,  
11 character or description not herein above described, or which may  
12 be incorrectly described herein, which is within the jurisdiction  
13 of the Court, and does not cause the gross value of the Estate less  
14 encumbrances to exceed \$100,000.00, is assigned and set aside to  
15 **SAM JAMES DAVIS PEMELTON** as the Successor Trustee of the **JACK AND**  
16 **JANET PEMELTON LIVING TRUST** dated April 7, 1995, so that he may  
17 finalize the Trust of the Decedent.

18 5. The attorney's fees in the sum of \$1,250.00 to  
19 **COPENHAVER & MCCONNELL, P.C.** and costs advanced are hereby approved  
20 and ordered paid.

21 6. A certified copy of this Order shall be recorded in  
22 the office of the County Recorder of Eureka County, Nevada, and the  
23 office of the County Recorder of Lander County, Nevada.

24 DATED this 3rd day of February, 2012.

25  
26 /s/ Steve L. Dobrescu  
DISTRICT JUDGE

27 ///

28 ///



COPY

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.

WITNESS, My Hand and Seal of said  
DISTRICT COURT, this 3rd day of February, 20 12

County Clerk and Ex-Officio Court Clerk

Therese M. Connel Deputy Clerk



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AFFIRMATION STATEMENT

The undersigned hereby affirms that the foregoing pleading, including any exhibits, DOES NOT contain the Social Security number of any person or persons.

  
KATIE HOWE MCCONNELL

