

APN: 005-240-21; 002-034-02

DOC # 0224965

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Official Record

Recording requested By
ROBERT J WINES

Recording Requested By:

Name: Robert J. Wines, Prof. Corp.

Address: 687 6th Street, Suite 1

City, State, Zip: Elko, NV 89801

Eureka County - NV
Mike Rebaleati - Recorder

Fee: \$20.00 Page 1 of 7
RPTT: Recorded By: LLH
Book- 555 Page- 0298

After Recording Return To:

Name: Robert J. Wines, Prof. Corp.

Address: 687 6th Street, Suite 1

City, State, Zip: Elko, NV 89801



Send Tax Statement To:

Name: Patricia J. Wright

Address: 81 Arabian Ranch Road

City, State, Zip: Crescent Valley, NV 89821

Order to Set Aside Without Administration

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 8th day of October, 2013.

Robert J. Wines, Attorney
ROBERT J. WINES, ESQ.

SEP 06 2013

1 CASE NO. PR-1307-298

2 Dept. I

Eureka County Clerk
By *[Signature]*

3 AFFIRMATION:

4 Pursuant to NRS239B.030 this document
5 does not contain a social security number

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

9 IN THE MATTER OF THE ESTATE OF
10 DORIS A. SMITH, aka DORIS ANNAMAE
SMITH,

**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**

11 Deceased.

12 _____ /
13 PATRICIA J. WRIGHT filed herein her Petition to Set Aside Without Administration of
14 Estate and Notice of Hearing of said Petition having been given as required by law, the Court hereby
15 finds::

16 1. That Petitioner is over the age of majority, and is a resident of Crescent Valley,
17 Nevada. Petitioner's residence address is 81 Arabian Ranch Road, Crescent Valley, Nevada, 89821.
18 Petitioner has never been convicted of a felony. The Petitioner is one of the surviving children of
19 the named Decedent.

20 2. That the above-named Deceased died intestate on March 21, 2013, in Crescent
21 Valley, Nevada, and at the time of her death, she was a resident of the State of Nevada. A copy of
22 her Certificate of Death is attached to the Petition as Exhibit "1."

23 3. That at the time of Decedent's death, she was a widow and was survived by three (3)
24 children. That the heirs-at-law and devisees of Decedent, and their respective relationships and
25 addresses are as follows:

26 **NAME AND ADDRESS**

RELATIONSHIP

27 Patricia J. Wright
81 Arabian Ranch Road
28 Crescent Valley, NV 89821

Daughter



1	<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>
2	Tina Wintle	Daughter
3	90 Arabian Ranch Road Crescent Valley, NV 89821	
4	Diane Henry	Daughter
5	269 Second St. Crescent Valley, NV 89821	

6 4. At the time of Decedent's death she owned the following described items of personal
7 property, located in the County of Eureka, State of Nevada

- 8 a. 1983 Ford T-Bird automobile, VIN: 1FABP46F6DH165989;
- 9 b. 1985 Utility Trailer, VIN: 16VPB1622F1C02817;
- 10 c. 1987 Charmac Horse Trailer, VIN: 1C9L18203H1216320;
- 11 d. 1977 Ford F-250 pickup, VIN: F25JR061751;
- 12 e. 1972 Ford pickup, VIN: F10CR452261;
- 13 f. 1985 Ford F-250 pickup, VIN: 1FTHF26L1FPA12530;
- 14 g. 1967 Chevrolet Dump Truck, VIN: CE337J118281;
- 15 h. 1975 Champion Manufactured Home 24' x 60', VIN: 095254S8640XUC;
- 16 i. Late 1950's Ford 800 Tractor.

17 5. In addition to the above described personal property, at the time of Decedent's death
18 she owned the following described real property, located in the County of Eureka, State of Nevada;
19 the real property is more particularly described as follows:

20 PARCEL 1:
21 Township 30 North, Range 48 East, M.D.B.&M.
22 Section 33: S½SE¼NW¼
23 APN: 005-240-21

24 PARCEL 2:
25 Lot 12, Block 16, Crescent Valley Ranch & Farm Unit No. 1
26 APN: 002-34-02

27 6. Petitioner was unsuccessful in locating blue book values for any of the items of
28 personal property, and instead, has estimated the values based upon condition. Most of the motor
vehicles are not in operational condition. The values placed on the personal property are good faith
estimates of how much could be received for them if they were sold in "AS IS" condition, and are
as follows:

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1	a.	1983 Ford T-Bird automobile:	\$ 2,500.00
	b.	1985 Utility Trailer:	\$ 300.00
2	c.	1987 Charmac Horse Trailer:	\$ 4,000.00
	d.	1977 Ford F-250 pickup:	\$ 500.00
3	e.	1972 Ford pickup:	\$ 500.00
	f.	1985 Ford F-250 pickup:	\$ 1,500.00
4	g.	1967 Chevrolet Dump Truck:	\$ 800.00
	h.	1975 Champion Manufactured Home:	\$ 2,900.00
5	i.	Late 1950's Ford 800 Tractor:	<u>\$ 800.00</u>
6		TOTAL ESTIMATED VALUE:	\$ 13,800.00

7 7. A copy of the Eureka County Assessor's valuation for each APN: 005-240-21 and
8 APN: 002-34-02 are attached to the Petition as Exhibits "2" and "3" respectively; the taxable value
9 of the real property and improvements, as shown by the Eureka County Assessor is \$21,815.00 and
10 \$5,977.00 respectively.

11 8. As shown above, the total estimated value of the personal property is \$13,800.00 and
12 the total value of the real property is \$27,792.00. Based thereon, the total value of this Estate is
13 \$41,592.00.

14 9. That Petitioner asserts that, based upon the foregoing values, Decedent's value in the
15 described property does not exceed the sum of \$100,000.00, and this estate should be set aside
16 without administration. All of said Estate is within the jurisdiction of the above entitled Court.

17 10. Pursuant to NRS 134.100, "If the decedent leaves no surviving spouse, but there is
18 a child or children and the lawful issue of a child or children, the estate goes to the child or children
19 and lawful issue of the child or children by right of representation as follows: to the child or children,
20 each a share and to the lawful issue of each deceased child, by right of representation, the same share
21 that the parent would have received if the parent had been living at the time of the death of the
22 decedent." Pursuant thereto, the persons entitled to Decedent's property are her children, PATRICIA
23 J. WRIGHT, TINA WINTLE and DIANE HENRY, share and share alike.

24 11. Attached to the Petition, as Exhibits "4", "5" and "6," are signed agreements by each
25 PATRICIA J. WRIGHT, TINA WINTLE and DIANE HENRY that alter the statutory distribution
26 of the personal property. PATRICIA J. WRIGHT has waived any claim or right to the 1977 Ford,
27 the 1963 Ford, the 1983 T-Bird, and the 1987 Charmac horse trailer. TINA WINTLE has waived
28 her claim to the Ford Tractor, the 1985 Utility Trailer, the 1967 Chevrolet Dump Truck and the 1985

1 Ford F-250 Pickup. DIANE HENRY has waiver her claim to all vehicles of any kind and nature;
2 there is no 1963 Ford listed above, and the 1972 Ford is the only vehicle not described by any of the
3 children.

4 12. Based on the foregoing, the person entitled to the motor vehicles is as follows:

5 To PATRICIA J. WRIGHT:

- 6 a. 1985 Utility Trailer, VIN: 16VPB1622F1C02817;
- 7 b. 1985 Ford F-250 pickup, VIN: 1FTHF26L1FPA12530;
- 8 c. 1967 Chevrolet Dump Truck, VIN: CE337J118281;
- 9 d. Late 1950's Ford 800 Tractor.

10 To TINA WINTLE:

- 11 a. 1983 Ford T-Bird automobile, VIN: 1FABP46F6DH165989;
- 12 b. 1987 Charmac Horse Trailer, VIN: 1C9L18203H1216320;
- 13 c. 1977 Ford F-250 pickup, VIN: F25JR061751;
- 14 d. 1972 Ford pickup, VIN: F10CR452261.

15 13. The real property should be distributed to PATRICIA J. WRIGHT, TINA WINTLE
16 and DIANE HENRY, share and share alike; the property, located in the County of Eureka, State of
17 Nevada is more particularly described above; Parcel 1 includes the 1975 Champion Manufactured
18 Home 24' x 60', VIN: 095254S8640XUC.

19 14. That Petitioner is informed and believes that, at the time of Decedent's death, there
20 were no liens or encumbrances of record against said personal property or against any parcel of real
21 property; Petitioner does not know of any creditors. Petitioner is informed and believes that there
22 is no obligation owing to the State of Nevada Medicaid.

23 15. That this Petition is made pursuant to NRS 146.090.

24 16. That Petitioner has engaged ROBERT J. WINES, PROF. CORP., to petition this
25 Court, and will incur court costs and legal fees; this Court should order Petitioner to pay to ROBERT
26 J. WINES, PROF. CORP., a reasonable fee in the sum of \$1,085.00, together with all costs incurred.

27 17. That any and all other items of real or personal property hereinafter discovered with
28 a value less than \$100,000.00 should be set aside pursuant hereto without further order of this Court
to PATRICIA J. WRIGHT, TINA WINTLE and DIANE HENRY, share and share alike.

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1 NOW THEREFORE, it is the Order of this Court:

2 1. That the total value of this Estate does not exceed the sum of \$100,000.00, and that
3 the same shall not be administered upon;

4 2. That the following described personal property be distributed to PATRICIA J.
5 WRIGHT, as her sole and separate property:

- 6 a. 1985 Utility Trailer, VIN: 16VPB1622F1C02817;
7 b. 1985 Ford F-250 pickup, VIN: 1FTHF26L1FPA12530;
8 c. 1967 Chevrolet Dump Truck, VIN: CE337J118281;
9 d. Late 1950's Ford 800 Tractor.

10 3. That the following described personal property be distributed to TINA WINTLE, as
11 her sole and separate property:

- 12 a. 1983 Ford T-Bird automobile, VIN: 1FABP46F6DH165989;
13 b. 1987 Charmac Horse Trailer, VIN: 1C9L18203H1216320;
14 c. 1977 Ford F-250 pickup, VIN: F25JR061751;
15 d. 1972 Ford pickup, VIN: F10CR452261.

16 4. That the following described real property and mobile home, located in the County
17 of Eureka, State of Nevada are hereby distributed to PATRICIA J. WRIGHT, TINA WINTLE and
18 DIANE HENRY, share and share alike; the real property is more particularly described as follows:

19 PARCEL 1:

20 Township 30 North, Range 48 East, M.D.B.&M.

21 Section 33: S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$

22 TOGETHER WITH that certain 1975 Champion Manufactured Home 24' x 60', VIN:
23 095254S8640XUC.

24 APN: 005-240-21

25 PARCEL 2:

26 Lot 12, Block 16, Crescent Valley Ranch & Farm Unit No. 1

27 APN: 002-34-02

28 5. That PATRICIA J. WRIGHT pay a reasonable attorney fee of \$1,085.00, payable to
ROBERT J. WINES, PROF. CORP., together with all costs;

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6. That any and all other assets hereinafter discovered, including all items of real and personal property with a value less than \$100,000.00, be assigned and set apart to PATRICIA J. WRIGHT, TINA WINTLE and DIANE HENRY, share and share alike.

DATED this 6th day of September, 2013.

B. Gary D. Fairman
DISTRICT JUDGE

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 29th day of September 2013

County Clerk and Ex-Officio Court Clerk
Deanna M. Cantrell Deputy Clerk

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