

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

Recording Requested By:

Name: Robert J. Wines, Prof. Corp.
Address: 687 6th Street, Suite 1
City, State, Zip: Elko, NV 89801

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

DOC # 0224965

10/10/2013

01:32 PM

Official Record

Recording requested By
ROBERT J WINES

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$20.00

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RPTT:

Recorded By: LLH

Book- 555 Page- 0298



0224965

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

CASE NO. PR-1307-298

Dept. I

Eureka County Clerk
By Sharon M. Cantel

AFFIRMATION:

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

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

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

**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**

Deceased.

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

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

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

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

NAME AND ADDRESS

RELATIONSHIP

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

Daughter



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1 NAME AND ADDRESS

RELATIONSHIP

2 Tina Wintle
90 Arabian Ranch Road
3 Crescent Valley, NV 89821

Daughter

4 Diane Henry
269 Second St.
5 Crescent Valley, NV 89821

Daughter

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;
c. 1987 Charmac Horse Trailer, VIN: 1C9L18203H1216320;
10 d. 1977 Ford F-250 pickup, VIN: F25JR061751;
e. 1972 Ford pickup, VIN: F10CR452261;
11 f. 1985 Ford F-250 pickup, VIN: 1FTHF26L1FPA12530;
g. 1967 Chevrolet Dump Truck, VIN: CE337J118281;
12 h. 1975 Champion Manufactured Home 24' x 60', VIN: 095254S8640XUC;
i. Late 1950's Ford 800 Tractor.

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

16 PARCEL 1:

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

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

19 APN: 005-240-21

20 PARCEL 2:

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

22 APN: 002-34-02

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

28 ///

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

TOTAL ESTIMATED VALUE: \$ 13,800.00

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

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

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

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

11. Attached to the Petition, as Exhibits "4", "5" and "6," are signed agreements by each PATRICIA J. WRIGHT, TINA WINTLE and DIANE HENRY that alter the statutory distribution of the personal property. PATRICIA J. WRIGHT has waived any claim or right to the 1977 Ford, the 1963 Ford, the 1983 T-Bird, and the 1987 Charmac horse trailer. TINA WINTLE has waived 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 waived 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;
d. Late 1950's Ford 800 Tractor.

9 To TINA WINTLE:

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

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

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

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

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

24 17. That any and all other items of real or personal property hereinafter discovered with
25 a value less than \$100,000.00 should be set aside pursuant hereto without further order of this Court
26 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;
d. Late 1950's Ford 800 Tractor.

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

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

18 PARCEL 1:

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

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

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

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

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///

DATED this 6th day of September, 2013.

19/Gary D Fairman
DISTRICT JUDGE

} SS

DISTRICT COURT, this 29th day of September 2013 WITNESS My Hand and Seal of said

County Clerk and Ex-Officio Court Clerk -6-
Deanna M. Cantrell Deputy Clerk

