

APN: 002-056-10

**Send tax statements to:**

**Eleanor Whittlinger**

**573 E. Ellendale Ave. #56**

**Dallas, OR 97338**

**Recording requested by:**

**Copenhaver & McConnell, P.C.**

**950 Idaho Street**

**Elko, NV 89801**

**(775) 738-1951**

**DOC # 0227770**

09/08/2014

08:35 AM

**Official Record**

Recording requested By  
GOPENHAVER & MCCONNELL PC

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$20.00

Page 1 of 7

RPTT:

Recorded By: LH

Book- 569 Page- 0287



0227770

**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.

A handwritten signature in black ink, appearing to read 'Katie Howe McConnell'.

**KATIE HOWE MCCONNELL**

NO. \_\_\_\_\_  
FILED  
AUG 27 2014  
Eureka County Clerk  
By *[Signature]*

1 CASE NO. PR 1407-309  
2 DEPT NO. 2  
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4  
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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 **RICHARD LEROY WHITTLINGER aka**  
12 **RICHARD L. WHITTLINGER,**  
13 Deceased.  
14

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

15 The verified Petition to Set Aside Estate Without  
16 Administration pursuant to NRS 146.070 filed by **ELEANOR WHITTLINGER**  
17 on July 14, 2014, having come on regularly to be heard on the day  
18 of August 15, 2014, at the hour of 10:00 a.m., the Court finds  
19 that:

- 20 1. Notice of the hearing was given for the period of  
21 time and in the manner required by law.  
22 2. The allegations of the Petition are true and  
23 correct.  
24 3. **RICHARD LEROY WHITTLINGER aka RICHARD L. WHITTLINGER**  
25 died in the City of McMinnville, County of Yamhill, State of  
26 Oregon, on the 27<sup>th</sup> day of June, 2004, and was at the time of his  
27 death over the age of majority and a resident of the County of  
28 Yamhill, State of Oregon.

RECEIVED  
AUG 12 2014  
Eureka County  
Clerk & Treasurer

1           4.    The Petitioner is the surviving wife of the  
2   Decedent, **RICHARD LEROY WHITTLINGER** aka **RICHARD L. WHITTLINGER** .  
3   The Petitioner is over the age of majority and a resident of the  
4   State of Oregon.

5           5.    That **RICHARD LEROY WHITTLINGER** aka **RICHARD L.**  
6   **WHITTLINGER**, died intestate.

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

<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
ELEANOR WHITTLINGER	Adult	Wife	573 E. Ellendale Ave. #56 Dallas, OR 97338
RITCHIE WHITTLINGER	Adult	Son	17686 E. Alsea Hwy Tidewater, OR 97390
ALVIN CURTIS WHITTLINGER	Adult	Son	25065 Yamhill River Road Willamina, OR 97396
THOMAS WHITTLINGER	Adult	Son	WCCF SID 4998721 P.O. Box 1500 Lakeview, OR 97630
DONALD WHITTLINGER	Adult	Son	25620 Yamhill River Road, #15 P.O. Box 445 Willamina, OR 97396
RUSSELL WHITTLINGER	Adult	Son	573 E. Ellendale Ave. #48 Dallas, OR 97338
FRED WHITTLINGER	Adult	Son	24610 Hwy 101-S, #9 Cloverdale, OR 97112

21           7.    The following is a specific description of all the  
22   Decedent's property located in the County of Eureka, State of  
23   Nevada:

24           **APN: 002-056-10**

25           Lot 9, Block 39, CRESCENT VALLEY RANCH & FARMS UNIT 1, as  
26   per map recorded in said County as File No. 34081.

27           SUBJECT TO:

28           1) Taxes due not heretofore paid.



0227770

Book 569 09/08/2014  
Page 289 Page 3 of 7

1 2) Covenants, conditions, restrictions, reservations,  
2 easements, rights, and/or rights of way of record.

3 TOGETHER with the tenements, hereditaments and  
4 appurtenances thereunto belonging or appertaining, and  
the reversion and reversions, remainder and remainders,  
rents, issues and profits thereof.

5 TO HAVE AND TO HOLD the said premises, together with the  
6 appurtenances unto the said Part of the Second Part, and  
to his heirs and assigns forever.

7 8. That the real and personal property be set aside to  
8 the Petitioner, **ELEANOR WHITTLINGER**, as her sole and separate  
9 property.

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

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

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

16 12. **COPENHAVER & MCCONNELL, P.C.**, Attorneys at Law,  
17 Elko, Nevada, has performed services for said Estate acting as and  
18 for attorney for the Petitioner and is entitled to a fee in the sum  
19 of \$950.00 plus costs advanced.

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

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

26 2. The gross value of the Estate after deducting any  
27 encumbrances, does not exceed the sum of \$100,000.00, and that all  
28 right, title and interest of the Deceased, **RICHARD LEROY**

1 **WHITTLINGER aka RICHARD L. WHITTLINGER**, in and to the above-  
2 described real property was his sole and separate property.

3 3. In accordance with NRS 146.070, all right, title and  
4 interest of **RICHARD LEROY WHITTLINGER aka RICHARD L. WHITTLINGER** in  
5 and to the above-described real property be assigned and set aside  
6 to the Petitioner, **ELEANOR WHITTLINGER**, as her sole and separate  
7 property.

8 4. In accordance with NRS. 146.070, the interests of  
9 **RICHARD LEROY WHITTLINGER aka RICHARD L. WHITTLINGER**, Decedent, in  
10 and to any and all other property, real or personal, of any name,  
11 nature, kind, character or description not herein above described,  
12 or which may be incorrectly described herein, which is within the  
13 jurisdiction of the Court, and does not cause the gross value of  
14 the Estate less encumbrances to exceed \$100,000.00, is assigned and  
15 set aside to Petitioner, **ELEANOR WHITTLINGER**, as her sole and  
16 separate property.

17 5. The attorney's fees in the sum of \$950.00 to  
18 **COPENHAVER & MCCONNELL, P.C.** and costs advanced are hereby approved  
19 and ordered paid.

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

22 DATED this 21<sup>st</sup> day of August, 2014.

23  
24 151 Gary D. Fairman  
DISTRICT JUDGE

25  
26 -///

27 -///

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0227770

Book: 569  
Page: 291

09/08/2014  
Page: 5 of 7

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0227770

Book: 569 09/08/2014  
Page: 292 Page: 6 of 7

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 27<sup>th</sup> day of August 20 14

County Clerk and Ex-Officio Court Clerk

*Deanna M. Canfield*

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*

KATIE HOWE MCCONNELL



0227770

Book 569  
Page 293

09/08/2014  
Page: 7 of 7