

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



**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

AUG 27 2014

Eureka County Clerk

By *Sharon M. Coakley*

1 CASE NO. PR 1407-309
2 DEPT NO. 2
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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.

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

14
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 27th 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.

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AUG 12 2014
Eureka County
Clerk & Treasurer

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Book 569 09/08/2014
Page: 288 Page: 2 of 7

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

9 7. The following is a specific description of all the
10 Decedent's property located in the County of Eureka, State of
11 Nevada:
12

13 **APN: 002-056-10**

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

16 SUBJECT TO:

17 1) Taxes due not heretofore paid.
18

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
5 the reversion and reversions, remainder and remainders,
6 rents, issues and profits thereof.

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

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

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

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

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

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

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

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

1 The gross value of the Estate after deducting any
2 encumbrances, does not exceed the sum of \$100,000.00, and that all
3 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 21st day of August, 2014.

23
24 151 Gary D. Fairman
DISTRICT JUDGE

25
26 -///
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 27th day of August 20 14

County Clerk and Ex-Officio Court Clerk
Deanna M. Carhall 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

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0227770

Book 569
Page 293

09/08/2014
Page: 7 of 7