

DOC # 0229661

07/16/2015

01:11 PM

Official Record

Recording requested By
ROBERT J WINES

Eureka County - NV

Sara Simmons - Recorder

Fee: \$18.00

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RPTT:

Recorded By: LH

Book- 581 Page- 0116



0229661

APN: 005-020-41

Recording Requested By:

Name: Robert J. Wines, Prof. Corp.

Address: 687 6th Street, Suite 1

City, State, Zip: Elko, NV 89801

Send Tax Statement To:

Name: Gena Asher

Address: 4014 S. State Road, 446

City, State, Zip: Bloomington, IN 47401

Order to Set Aside Without Administration

(Title of Document)

Please complete the cover page, check one of the following and sign below.

☒ I the undersigned hereby affirm that this document submitted for recording does not contain a social security number.

OR

☐ I the undersigned hereby affirm that this document submitted for recording contains a social security number of a person as required by law:

Robert J. Wines
ROBERT J. WINES

Attorney
Title

1 CASE NO. PR-1504-329

2 Dept. I

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

9 IN THE MATTER OF THE ESTATE OF
10 WILLIAM J. WATTS, aka WILLIAM
WATTS,
Deceased.

**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**

12 GENA ASHER filed her Petition to Set Aside Without Administration of the Estate of
13 WILLIAM J. WATTS, aka WILLIAM WATTS; Notice of Hearing has been given for the time and
14 in the manner required by law; this is the time and place scheduled for a hearing on this matter; no
15 one having appeared or objected; Petitioner has filed herein a Request for Submission; the Court
16 being fully informed, hereby finds as follows:

17 1. That Petitioner is over the age of majority, and is a resident of Bloomington, Indiana.
18 Petitioner's address is 4014 S. State Rd. 446, Bloomington, IN 47401. Petitioner has never been
19 convicted of a felony. The Petitioner is the surviving spouse of the above named deceased.

20 2. That the above-named Deceased died testate on January 28, 2015, in Bloomington,
21 Indiana, and at the time of his death, he was a resident of Bloomington, Indiana. A copy of his
22 Certificate of Death is attached as an Exhibit to the separate document, encaptioned "Copy of Death
23 Certificate" and incorporated herein by this reference.

24 3. That at the time of Decedent's death, he was married and was survived by three (3)
25 children. That the heirs-at-law and Devisees of Decedent, and their respective relationships and
26 addresses are as follows:

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RECEIVED

JUN 01 2015

Eureka County
Clerk & Treasurer

NAME AND ADDRESS

RELATIONSHIP

Gena Asher-Watts
4014 S. State Rd. 446
Bloomington, IN 47401

Spouse

Michelle (Watts) Lee
5966 Jade Ct.
Castle Rock, CO 80104

Daughter

Mark Watts
10398 Heather Lake Drive
Osceola, IN 46561

Son

Eric Watts
11365 N. Forest Grove Road
Mooresville, IN 46158

Son

4. At the time of Decedent's death he owned the following described parcel of real property located in the County of Eureka, State of Nevada; that the value of such real property does not exceed the sum of \$100,000.00; that all of said Estate is within the jurisdiction of the above entitled Court and more particularly described as follows:

The S½ of the NE¼ of the NE¼ of Section 33, T. 31 N., R. 48 E., M.D.B.&M., containing 20 acres more or less.

As per Government Survey.

APN: 005-020-41

5. That Decedent's value in the described parcel of real property does not exceed the sum of \$100,000.00. A copy of the Eureka County Assessor's Secured Property Detail for the herein described parcel is attached to the Petition as Exhibit "1". Pursuant thereto, the value of this parcel is \$3,960.00.

6. Pursuant to the foregoing, Petitioner alleges that the total value of this estate is \$3,960.00, and based thereon, is within the statutory value to allow a set aside of this property without administration.

7. Petitioner asserts that Decedent died testate; a copy of his Last Will and Testament, dated April 30, 1990, is attached to the Petition as Exhibit "2".

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1 8. Pursuant to the terms of Decedent's Last Will and Testament, each of the three
2 children is to receive the sum of \$10,000.00, and thereafter, "all remaining assets after the payment
3 of all debts, . . . shall be paid and distributed to my wife, Gena Lou Asher".

4 9. Petitioner represents to this Court that she has already delivered the funds to the three
5 children, as instructed. All three children have received a notice of this hearing, and none have
6 objected to the content of the petition. Based thereon, this court should order that the real property
7 hereinabove described should be distributed to GENA ASHER as her sole and separate property.

8 10. That Petitioner is informed and believes that, at the time of Decedent's death, there
9 were no liens or encumbrances of record against said property described herein.

10 11. That Petitioner has no knowledge of any unpaid expenses of last illness and any other
11 unpaid obligations owing by WILLIAM J. WATTS, and based thereon, asserts that there are no
12 unpaid obligations owing by Decedent.

13 12. That this Petition is made pursuant to NRS 146.070.

14 13. That Petitioner has engaged ROBERT J. WINES, PROF. CORP., to petition this
15 Court, and will incur court costs and legal fees; this Court should order Petitioner to pay to ROBERT
16 J. WINES, PROF. CORP., a reasonable fee in the sum of \$750.00, together with all costs incurred.

17 14. That any and all other items of real or personal property hereinafter discovered with
18 a value less than \$100,000.00 and within the jurisdiction of this Court, should be set aside pursuant
19 hereto without further order of this Court to GENA ASHER, as her sole and separate property.

20 NOW THEREFORE, IT IS THE Order of this Court as follows:

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

23 2. That Decedent's interest in and to the hereinabove described parcel of real property,
24 is hereby assigned and set apart to GENA ASHER as her sole and separate property;

25 3. Any and all other items of real or personal property hereinafter discovered with a
26 value less than \$100,000.00 and within the jurisdiction of this Court, are hereby set aside without
27 further order of this Court to GENA ASHER as her sole and separate property;

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1 4. Petitioner is hereby Ordered to pay a reasonable attorney fee of \$750.00, payable to
2 ROBERT J. WINES, PROF. CORP., together with all costs incurred.

3 DATED this 5th day of June, 2015.

4
5 SI Steve Dobrescu
6 DISTRICT JUDGE
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10 **AFFIRMATION OF STATEMENT**

11 The undersigned hereby affirms that the foregoing pleading, including any exhibits, DOES
12 NOT contain the Social Security Number of one or more persons.

13 Robert J. Wines
14 ROBERT J. WINES
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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.

DISTRICT COURT, this 23rd WITNESS, My Hand and Seal of said
day of June 20 15

County Clerk and Ex-Officio Court Clerk

Shane O'Farrell Deputy Clerk



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