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03/30/2016

01:31 PM

Official Record

Recording requested By
ROBERT J WINES

Eureka County - NV
Sara Simmons - Recorder

Fee: \$18.00

Page 1 of 5

RPTT:

Recorded By: LH

Book- 589 Page- 0246



0231022

APN: 005-060-04

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: Joan E. Crumley

Address: 3580 Sundance Trail

City, State, Zip: Placerville, CA 95667

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-1601-338

2 Dept. I

FILED

MAR 07 2016

Eureka County Clerk

By A. Pearce

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4
5
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 SAMUEL O'GRADY,

**ORDER TO SET ASIDE WITHOUT
ADMINISTRATION**

11 Deceased.
12

13 LEE MAY filed his Petition to Set Aside Without Administration of the Estate of SAMUEL
14 O'GRADY; Notice of Hearing has been given for the time and in the manner required by law; this
15 is the time and place scheduled for a hearing on this matter; no one having appeared or objected, and
16 the Court being fully informed, hereby finds as follows:

17 1. That Petitioner is over the age of majority, and is a resident of Shingle Springs,
18 California. Petitioner's address is 5051 Holly Drive, Shingle Springs, California 95682. Petitioner
19 has never been convicted of a felony. The Petitioner is the surviving former son-in-law of the above
20 named Deceased, and is the co-owner of the property described herein.

21 2. That the above-named Deceased died intestate on September 2, 1980, in San Diego,
22 California, and at the time of his death, he was a resident of San Diego, California. A copy of his
23 Certificate of Death is attached as an Exhibit to the separate document, encaptioned "Copy of Death
24 Certificate" and incorporated herein by this reference.

25 3. That at the time of Decedent's death, he was a widower, and was survived by two (2)
26 children. That the heirs-at-law and Devisees of Decedent, and their respective relationships
27 addresses are as follows:

28 ///

///



0231022

Book 589
Page: 247

03/30/2016
Page: 2 of 5

1 NAME AND ADDRESS

RELATIONSHIP

2 Joan E. Crumley
3 3580 Sundance Trail
4 Placerville, CA 95667

Daughter

4 Morton O'Grady
5 4884 Park Drive
6 Carlsbad, CA 92008

Son

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

10 The East Half (E½) of the Northeast Quarter (NE¼) of Section 25, Township 31
11 North, Range 48 East, M.D.B.&M.

12 APN: 005-060-04

13 5. That Decedent's value in the described parcel of real property does not exceed the
14 sum of \$100,000.00. A copy of the Eureka County Assessor's Secured Property Detail for the herein
15 described parcel is attached to the Petition as Exhibit "1". Pursuant thereto, the value of this parcel
16 is \$13,200.00.

17 6. On March 30, 1977, Decedent entered into a Contract with Petitioner and his wife,
18 Joan May, now known as Joan Crumley, Decedent's daughter, to convey the property to them. A
19 copy of that Contract is attached to the Petition as Exhibit "2". The legal description in the Contract
20 is incorrect, as it only includes one-half of the parcel.

21 7. Pursuant to the foregoing, Petitioner alleges that the total value of this Estate is
22 \$13,200.00, and based thereon, is within the statutory value to allow a set aside of this property
23 without administration.

24 8. To the best of Petitioner's knowledge, information and belief, Decedent died intestate.

25 9. Decedent died in 1980, and therefore, any and all outstanding obligations due and
26 owing by decedent would be stale; in any event, Petitioner does not know of any unpaid obligations
27 due and owing. Petitioner has paid the ad valorem taxes accrued on the property since 1980, and
28 there are not currently any taxes due.



0231022

Book 589
Page 248

03/30/2016
Page: 3 of 5

1 10. Pursuant to NRS 134.090 "if the decedent leaves no surviving spouse, but there is a
2 child or children, the estate, if there is only one child, all goes to that child. If there is more than one
3 child, the estate goes to all the children of the decedent, to share and share alike".

4 11. That this Petition is made pursuant to NRS 146.070.

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

8 13. This Court should order the property described herein be distributed to JOAN E.
9 CRUMLEY and MORTON O'GRADY, share and share alike.

10 14. That any and all other items of real or personal property hereinafter discovered with
11 value less than \$100,000.00 and within the jurisdiction of this Court, should be set aside pursuant
12 hereto without further order of this Court to JOAN E. CRUMLEY and MORTON O'GRADY, share
13 and share alike.

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

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

17 2. That Decedent's interest in and to the hereinabove described parcel of real property
18 is hereby assigned and set apart to JOAN E. CRUMLEY and MORTON O'GRADY, share and share
19 alike;

20 3. Any and all other items of real or personal property hereinafter discovered with a
21 value less than \$100,000.00 and within the jurisdiction of this Court, is hereby set aside without
22 further order of this Court to JOAN E. CRUMLEY and MORTON O'GRADY, share and share alike;
23 and

24 ///

25 ///

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27 ///

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0231022

Book 589 03/30/2016
Page: 249 Page: 4 of 5

DATED this _____ day of March, 2016.

16/ Judge Steve L. Dobrescu
DISTRICT JUDGE

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

Robert J. Wines
ROBERT J. WINES

} SS

DISTRICT COURT, this 17th day of March 20 16 WITNESS, My Hand and Seal of said

Amanda Lee Deputy Clerk