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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- 592 Page- 0109



0231546

APN: 001-117-03; 001-161-04

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: Alton R. Collier

Address: 5006 Rainwater Dr.

City, State, Zip: Pasadena, TX 77505

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. PR1603-341

NO. _____
FILED

2 Dept. II

MAY 12 2016

Eureka County Clerk
By Amey

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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 CAROL L. COLLIER, aka CAROL
LYNN COLLIER,

**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**

11 Deceased.

12
13 ALTON R. COLLIER filed his Petition to Set Aside Without Administration of the Estate
14 of CAROL L. COLLIER, aka CAROL LYNN COLLIER; Notice of Hearing has been given for the
15 time and in the manner required by law; this is the time and place scheduled for a hearing on this
16 matter; no one having appeared or objected, and the Court being fully informed, hereby finds as
17 follows:, respectfully represents and shows:

18 1. That Petitioner is over the age of majority, and is a resident of Pasadena, Texas.
19 Petitioner's address is 5006 Rainwater Drive, Pasadena, TX 77505. Petitioner has never been
20 convicted of a felony. The Petitioner is the surviving spouse of the above named Deceased.

21 2. That the above-named Deceased died testate on August 10, 2015, in Pasadena, Texas,
22 and at the time of her death, she was a resident of Pasadena, Texas. A copy of her Certificate of
23 Death is attached as an Exhibit to the separate document, encaptioned "Copy of Death Certificate"
24 and incorporated herein by this reference.

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

28 ///

<u>1</u>	<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>
2	Alton R. Collier 5006 Rainwater Dr. Pasadena, TX 77505	Spouse
4	Michael George Collier 4214 Treetop Dr. Pasadena, TX 77505	Son
6	Wendy Jeanne Downs 1510 Kenwick Pasadena, TX 77504	Daughter
8	Verla Joyce Collier (Deceased - no children)	Daughter

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

14 PARCEL 1:

15 Starting at the S.W. Corner of Survey No. 95, John E. Plater Mill Site and running
16 38' North 8 Degrees, 30' West; thence 60 Degrees North 82 Degrees 56' East; thence
17 38' South 8 Degrees 30' East; thence 60' South 82 Degrees 56' West to point of
beginning.

18 PARCEL 2:

19 Lots 7 and 8, Block 62.

20 APN: 001-117-03; 001-161-04

21 5. That Decedent's value in the described parcel of real property does not exceed the
22 sum of \$100,000.00. A copy of the Eureka County Assessor's Secured Property Detail for the herein
23 described parcel is attached to the Petition as Exhibits "1" and "2" respectively. Pursuant thereto,
24 the value of these parcels is \$41,226.00.

25 6. Pursuant to the foregoing, Petitioner alleges that the total value of this Estate is
26 \$41,226.00, and based thereon, is within the statutory value to allow a set aside of this property
27 without administration.

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1 7. To the best of Petitioner's knowledge, information and belief, Decedent died testate;
2 a copy of her Last Will and Testament is attached to the Petition as Exhibit "3".

3 8. Pursuant to the provisions of Decedent's Last Will and Testament, Article II, the
4 person entitled to receive all of Decedent's interest in and to these parcels of property is Decedent's
5 spouse, ALTON R. COLLIER, as his sole and separate property.

6 9. That Petitioner is informed and believes that, at the time of Decedent's death, there
7 were no liens or encumbrances of record against said property interest described herein. There was
8 an existing tax lien, which was resolved just a few days prior to Decedent's demise.

9 10. That Petitioner has no knowledge of any unpaid expenses of last illness and any other
10 unpaid obligations owing by CAROL L. COLLIER, and based thereon, asserts that there are no
11 unpaid obligations owing by Decedent. Any household expenses have been assumed and paid by
12 Petitioner, ALTON R. COLLIER.

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

14 12. 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 \$700.00, together with all costs incurred.

17 13. 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 ALTON R. COLLIER, as his 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 parcels of real property
24 is hereby assigned and set apart to ALTON R. COLLIER, as his 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 ALTON R. COLLIER, as his sole and separate property; and

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1 4. Petitioner shall pay a reasonable attorney fee of \$700.00, payable to ROBERT J.
2 WINES, PROF. CORP., together with all costs incurred.

3 DATED this _____ day of ~~April~~, 2016.
4 *May*

5 */s/ Judge Fairman*
6 DISTRICT JUDGE

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11 **AFFIRMATION STATEMENT**

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

14 *Robert J. Wines*
15 ROBERT J. WINES

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23 SEVENTH JUDICIAL DISTRICT COURT, }
24 IN AND FOR COUNTY OF EUREKA, } SS
STATE OF NEVADA }
25 I, the Undersigned COUNTY CLERK and Ex-Officio
26 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.
27 DISTRICT COURT, this 13th WITNESS, My Hand and Seal of said
day of June 20 16
28 County Clerk and Ex-Officio Court Clerk
[Signature] Deputy Clerk

