

APN: 005-130-25

**Recording Requested By:**

Name: Robert J. Wines, Prof. Corp.

Address: 687 6<sup>th</sup> Street, Suite 1

City, State, Zip: Elko, NV 89801

**Send Tax Statement To:**

Name: Deborah F. Spencer

Address: 2280 Wolfberry Way

City, State, Zip: Santa Rosa, CA 95404

**DOC # 0232283**

12/12/2016

03:26 PM

**Official Record**

Recording requested By  
ROBERT J WINES PORF CORP

**Eureka County - NV**

**Lisa Hoehne - Recorder**

Fee: **\$18.00**

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RPTT:

Recorded By: CH

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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

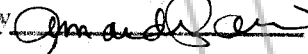
1 CASE NO. PR-1608-347

2 Dept. I

NO. \_\_\_\_\_  
FILED

OCT 21 2016

Eureka County Clerk

By: 

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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 SHARON L. KIRK, aka SHARON  
L. S. KIRK,

**ORDER TO SET ASIDE  
WITHOUT ADMINISTRATION**

11 Deceased.  
12

13 JOHN F. KIRK filed his Petition to Set Aside Without Administration of the Estate of  
14 SHARON L. KIRK, aka SHARON L. S. KIRK; Notice of Hearing has been given for the time and  
15 in the manner required by law; this is the time and place scheduled for a hearing on this matter; no  
16 one having appeared or objected, and the Court being fully informed, hereby finds as follows:

17 1. That Petitioner is over the age of majority, and is a resident of Ruffin, South Carolina.  
18 Petitioner's address is 3647 Azalya Patch Road, Ruffin, SC 29475. Petitioner has never been  
19 convicted of a felony. The Petitioner is a co-owner of the property vested to Decedent above named.

20 2. That the above-named Deceased died intestate on March 14, 2016, in Placentia,  
21 Orange County, California, and at the time of her death, she was a resident of Anaheim, California.  
22 A copy of her Certificate of Death is attached as an Exhibit to the separate document, encaptioned  
23 "Copy of Death Certificate".

24 3. That at the time of Decedent's death, she was not married and was not survived by  
25 any children or the issue of any pre-deceased children. She was only survived by one (1) sibling,  
26 hereinafter named. That the heirs-at-law of Decedent, and their respective relationships and  
27 addresses are as follows:

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1 **NAME AND ADDRESS**

**RELATIONSHIP**

2 Deborah F. Spencer  
2280 Wolfberry Way  
3 Santa Rosa, CA 95404

Sister

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

8 S½ of W½ of E½, Section 31, Township 31 North, Range 50 East, M.D.B.&M.

9 TOGETHER WITH any and all buildings and improvements situate thereon.

10 TOGETHER WITH the tenements, hereditament and appurtenances thereunto  
11 belonging or in anywise appertaining, the reversion and reversion, remainder and  
remainders, rents, issues and profits thereof.

12 SUBJECT TO all covenants, conditions, reservations and restrictions of record.

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14 5. That Decedent's value in the described parcel of real property does not exceed the  
15 sum of \$100,000.00. A copy of the Eureka County Assessor's Secured Property Detail for the herein  
16 described parcel is attached to the Petition as Exhibit "1". Pursuant thereto, the value of this parcel  
17 is \$11,871.00. Attached hereto is a copy of the vesting Deed, which vest title to JOHN F. KIRK and  
18 SHARON L. S. KIRK; based thereon Decedent's one-half interest in and to this parcel has a value  
19 of \$5,935.50.

20 6. Pursuant to the foregoing, Petitioner alleges that the total value of this Estate is  
21 \$5,935.50, and based thereon, is within the statutory value to allow a set aside of this property  
22 without administration.

23 7. To the best of Petitioner's knowledge, information and belief, Decedent died intestate.  
24 Pursuant to NRS 134.060 if there is no surviving spouse, no surviving children, and no surviving  
25 parents, the Estate is distributed to the brothers and sisters of the Deceased, and the children of any

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1   predeceased sibling by right of representation, share and share alike. DEBORAH F. SPENCER is  
2   the only known surviving sibling of the Decedent, and based thereon, her entire interest in and to the  
3   herein described property should be set aside without administration to DEBORAH F. SPENCER,  
4   as her sole and separate property.

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

7         9.     That Petitioner has no knowledge of any unpaid expenses of last illness and any other  
8   unpaid obligations owing SHARON L. KIRK, aka SHARON L. S. KIRK,, and based thereon, asserts  
9   that there are no unpaid obligations owing by Decedent.

10        10.    That this Petition is made pursuant to NRS 146.070.

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

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

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

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

21        2.     That Decedent's interest in and to the hereinabove described parcel of real property  
22   is hereby assigned and set apart to DEBORAH F. SPENCER, Decedent's surviving sister, as her sole  
23   and separate property;

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

27   ///

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DATED this 21<sup>st</sup> day of October, 2016.

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