

APN: 001-161-18

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Elko, NV 89801

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Eureka County - NV

Lisa Hoehne - Recorder

Page: 1 of 6 Fee: \$19.00

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Book- 0601 Page- 0136



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**ORDER TO INCLUDE ADDITIONAL PROPERTY AND TO SET ASIDE WITHOUT
ADMINISTRATION NUNC PRO TUNC**

**IN THE MATTER OF THE ESTATE OF:
HILDA CARDINALLI, Deceased**

(Title of Document)

This cover page must be type or printed.

NO. _____
FILED
APR 26 2017
Eureka County Clerk
By *W. Lobbary*

1 CASE NO. PR 1312-304
2 DEPT. NO. 1
3 Affirmation: This document does
4 not contain the social security
5 number of any person.

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

9 **IN THE MATTER OF THE ESTATE OF:**
10 **HILDA CARDINALLI,**
11
12 Deceased.

**ORDER TO INCLUDE ADDITIONAL
PROPERTY AND TO SET ASIDE
WITHOUT ADMINISTRATION NUNC
PRO TUNC**

13 **TO THE ABOVE CAPTIONED COURT:**

14 JULIE CARDINALLI, by and through her attorney LAUREN A. LANDA, Esq.,
15 having filed a MOTION FOR ORDER TO INCLUDE ADDITIONAL PROPERTY
16 AND TO SET ASIDE WITHOUT ADMINISTRATION NUNC PRO TUNC ("Motion")
17 and on proof having been made to the satisfaction of the Court, the Court now finds as
18 follows:
19

20 1. That on December 8, 2004, original Petitioner, JOHN L. CARDINALLI,
21 filed his PETITION TO SET ASIDE ESTATE WITHOUT ADMINISTRATION
22 PURSUANT TO NRS 146.070, a copy of which is attached to Motion as EXHIBIT "A"
23 and incorporated therein by reference.

24 2. That Decedent, HILDA CARDINALLI, died on the 9th day of September,
25 2012, in the Carson City, County of Carson City, State of Nevada, and was at the time of
26 her death over the age of majority and resident of the City of Carson City, County of

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APR 26 2017

Eureka County
Clerk & Treasurer



232979

Book: 601 05/08/2017
Page: 137 2 of 6

1 Carson City, State of Nevada. A copy of the Certificate of Death is attached to Motion as
2 EXHIBIT "B", and incorporated therein by reference.

3 3. That original Petitioner JOHN L. CARDINALLI died on November 11,
4 2015, a copy of his death certificate is attached to Motion as EXHIBIT "C" and
5 incorporated therein by reference. Petitioner herein is the surviving daughter-in-law of
6 the Decedent and the Surviving Spouse of JOHN L. CARDINALLI. Petitioner is over the
7 age of majority and a resident of the City of Reno, State of Nevada.

8 4. That the Decedent died intestate.

9 5. That on January 17, 2014, the ORDER SETTING ASIDE ESTATE
10 WITHOUT ADMINISTRATION PURSUANT TO NRS 146.070 ("Order"), was filed in
11 the above-entitled matter, a copy of which is attached to Motion as EXHIBIT "D" and
12 incorporated therein by reference.

13 6. That in said Order, it was ordered that the interests of HILDA
14 CARDINALLI, Decedent, in the State of Nevada in and to the real property described
15 therein be, and were, set aside in equal undivided shares to JOHN L. CARDINALLI and
16 DAVID A. CARDINALLI.

17 7. That DAVID L. CARDINALLI was inadvertently referred to as DAVID
18 A. CARDINALLI in said Order due to mistake.

19 8. That the names, ages, relationships and addresses of the heirs, devisees
20 and legatees of said Decedents, so far as known to Petitioner, are:

Name	Age	Relationship	Address
JOHN L. CARDINALLI	Deceased	Son	Estate of John L. Cardinalli c/o Julie Cardinalli 1041 Longview Way Reno, NV 89702



232979

Book: 601 05/08/2017
Page: 138 3 of 6

1	DAVID L. CARDINALLI	Adult	Son	P.O. Box 312 Mt. Autumn, CA 95656
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2
3 9. That all assets described in said Order were correct, however subsequent
4 to the filing of the ORDER SETTING ASIDE ESTATE WITHOUT
5 ADMINISTRATION PURSUANT TO NRS 146.070, January 17, 2014, real property
6 held in the name of HILDA CARDINALLI has since been discovered in Eureka County
7 and was inadvertently omitted previously.

8
9 10. That the following is a specific description of Decedent's real property
10 located in the County of Eureka, State of Nevada, discovered subsequent to the ORDER
11 SETTING ASIDE ESTATE WITHOUT ADMINISTRATION PURSUANT TO NRS
12 146.070, dated January 17, 2014. Decedent is believed to have held a one hundred
13 percent (100%) interest therein, APN 001-161-18:

14 A PORTION OF THE JOHN E. PLATER MILLSITE, SURVEY NO. 95 AND
15 NOW DESIGNATED AS LOT 2 OF BLOCK 32 ON THE OFFICIAL PLAT OF
16 SAID TOWNSITE OF EUREKA, EUREKA COUNTY, STATE OF NEVADA
17 APPROVED BY THE GENERAL LAND OFFICE OF THE UNITED STATES
18 ON NOVEMBER 19, 1937 AND NOW ON FILE IN THE OFFICE OF THE
19 COUNTY RECORDER OF EUREKA COUNTY, NEVADA, DESCRIBED AS
20 FOLLOWS:

21 BEGINNING AT POINT NO. 4 OR THE SOUTHWEST CORNER OF LOT 1
22 OF SAID BLOCK;

23 THENCE NORTH ALONG THE WEST SIDE LINE OF LOT NO. 1 TO POINT
24 NO. 3 OR THE NORTHWEST CORNER OF SAID LOT NO. 1, A DISTANCE
25 OF TWENTY-FIVE FEET;

26 THENCE EAST ALONG THE NORTH SIDE LINE OF LOT NO. 1, A
27 DISTANCE OF 10 FEET TO A POINT;

 THENCE NORTH AND PARALLEL TO THE EAST SIDE LINE OF LOT 2,
BLOCK 32 A DISTANCE OF 57.00 FEET TO A POINT;

 THENCE WEST AND PARALLEL TO THE NORTH SIDE LINE OF SAID
LOT 2, A DISTANCE OF 100 FEET;



232979

Book: 601 05/08/2017
Page: 139 4 of 6

1 THENCE SOUTH AND PARALLEL TO THE WEST SIDELINE OF SAID
2 LOT 2, TO THE SOUTH SIDE LINE OF SAID LOT 2, A DISTANCE OF 82
3 FEET MORE OR LESS;

4 THENCE EAST ALONG THE SOUTH SIDE LINE OF SAID LOT 2, A
5 DISTANCE OF 90 FEET TO THE POINT OF BEGINNING.

6 EXCEPT THAT PORTION CONVEYED IN QUITCLAIM DEED RECORDED
7 OCTOBER 11, 1989 IN BOOK 204, PAGE 179 AS INSTRUMENT NO.
8 130267.

9 NOTE: THE ABOVE METES AND BOUNDS LEGAL DESCRIPTION
10 APPEARED PREVIOUSLY IN THAT CERTAIN DOCUMENT RECORDED
11 FEBRUARY 18, 1959 IN BOOK 25 OF DEEDS, PAGE 269 AS INSTRUMENT
12 NO. 34035.

13 Real property having a total value of approximately \$16,477.00, based on Eureka
14 County Assessor's taxable valuation. A copy of the Eureka County Assessor's parcel
15 detail is attached to Motion as EXHIBIT "E" and incorporated therein by reference.

16 11. That to the knowledge of the Petitioner there are no liens or encumbrances
17 on the real property other than accruing taxes and fees.

18 12. That the all debts, charges and expenses of the last known illness and
19 funeral expenses of the Decedents have been paid as far as is known to Petitioner.

20 13. That property previously Set Aside in said ORDER SETTING ASIDE
21 ESTATE WITHOUT ADMINISTRATION PURSUANT TO NRS 146.070, dated
22 January 17, 2014, attached to Motion as EXHIBIT "D", was valued at \$59,717.00.

23 **IT IS THEREFORE ORDERED AND DECREED THAT:**

24 1. That the Court find that the gross value of the estate after deducting any
25 encumbrances, does not exceed the sum of \$100,000.00, and that all right, title and
26 interest of the Deceased, HILDA CARDINALLI in and to the above-described real
27 property be assigned and set aside to JOHN L. CARDINALLI and DAVID L.

CARDINALLI.




232979

Book: 601 05/08/2017
Page: 140 5 of 6

1 2. That in accordance with NRS 146.070, the interests of HILDA
 2 CARDINALLI, Decedent, in and to any and all other property, real or personal, of any
 3 name, nature, kind, character or description not hereinabove described, or which may be
 4 incorrectly described herein, which is within the jurisdiction of the Court, and does not
 5 cause the gross value of the estate less encumbrances to exceed \$100,000.00, be assigned
 6 and set aside to JOHN L. CARDINALLI and DAVID L. CARDINALLI.

7 3. That the Court enter an ORDER nunc pro tunc setting aside the above-
 8 described later discovered real property, and to correct the middle initial of heir DAVID
 9 A. CARDINALLI to DAVID L. CARDINALLI, and that the previous Set Aside, dated
 10 January 17, 2014, the ORDER SETTING ASIDE ESTATE WITHOUT
 11 ADMINISTRATION PURSUANT TO NRS 146.070, not be further amended.
 12

13
 14 DATED April 24th, 2017

15
 16
 17 
 18 _____
 19 DISTRICT JUDGE

20
 21
 22 SEVENTH JUDICIAL DISTRICT COURT } ss
 23 IN AND FOR COUNTY OF EUREKA }
 24 STATE OF NEVADA }
 25 I, the undersigned COUNTY CLERK and Ex-Officio
 26 CLERK of the SEVENTH JUDICIAL DISTRICT COURT do hereby CERTIFY
 27 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 1st day of May 2017

 Beverly Conley
 County Clerk and Ex-Officio Court Clerk

 Diana Padilla Deputy Clerk