

APN : 001-012-29

RECORDING REQUESTED BY
JOEL W. LOCKE, Esq.

WHEN RECORDED MAIL TO:
JOEL W. LOCKE, ESQ.
ALLISON MacKENZIE, LTD.
402 North Division Street
P.O. Box 646
Carson City, NV 89702

☒ The party executing this document hereby affirms
that this document submitted for recording does
not contain the social security number of any
person or persons pursuant to NRS 239B.030

☐ The party executing this document hereby affirms
that this document submitted for recording does
contain the social security number of a person or
persons as required by NRS 440.380.

EUREKA COUNTY, NV

Rec: \$19.00

Total: \$19.00

ALLISON MACKENZIE LTD

2017-233823

09/11/2017 08:28 AM

Pgs=6



00000027201702338230060068

LISA HOEHNE, RECORDER

**SPACE ABOVE THIS LINE RESERVED FOR
RECORDER'S USE**

TITLE OF DOCUMENT

ORDER SETTING ASIDE ESTATE WITHOUT ADMINISTRATION

RECEIVED

JUL 10 2017

Douglas County
District Court Clerk

2017 JUL 10 PM 1:32

DOBBIE R. WILLIAMS
CLERK
A. NEWTON
BY _____ DEPUTY

Case No.: 17-PB-0074

Dept. No.: II

The party executing this document hereby affirms that this document submitted for filing DOES NOT contain the social security number of a deceased person or persons.

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

-oOo-

IN THE MATTER OF THE ESTATE

**ORDER SETTING ASIDE ESTATE
WITHOUT ADMINISTRATION**

OF

PATRICIA J. McCULLOCH,

Deceased.

/

The Court has considered the verified Petition to Set Aside Estate Without Administration filed herein by Petitioner, SCOTT ROBINSON (hereinafter "Petitioner"), a hearing thereon having been had this day in open Court, due notice of which was proved; no person objecting; and the Court, having reviewed the evidence, read the papers, and considered the matter, now finds and determines as follows:

I.

DECEDENT

That PATRICIA J. McCULLOCH, (hereinafter referred to as "Decedent"), died on January 9, 2017, being at the time of her death a resident of and domiciled in Douglas County, State of Nevada, leaving an estate in Nevada, as more particularly described herein.

II.

LAST WILL AND TESTAMENT

That Petitioner is informed and believes that Decedent left no Last Will and Testament and died intestate.

III.

DECEDENT'S ESTATE

That Petitioner is informed and believes that the estimated value of the decedent's estate subject to administration in the State of Nevada is less than One Hundred Thousand and No/100 Dollars (\$100,000.00). That the Decedent had the following assets subject to probate administration:

A. All that certain property situate, lying and being in the County of Eureka, State of Nevada, APN: 001-012-29, more specifically described as:

Parcel No. 2 of that certain Parcel Map for David A. Pastorino as recorded in the office of the Recorder of Eureka County, Nevada, on September 7, 2006, as File No. 206144.

Value: \$9,517.00

B. 2003 Volvo XC70 VIN: YV1SZ59H431111180

Value: \$1,000.00

C. Bank of America Savings Account ending 0451

Value: \$9,112.48

D. Bank of America Checking Account ending 9747

Value: \$10,836.21

That the value of assets of the Decedent as recorded herein is the total sum of Thirty Thousand Four Hundred Sixty-Five and 69/100 Dollars (\$30,465.69).

That Petitioner, with the consent of the devisees of the decedent's estate, moved this Court to waive any appraisal on said property, and such motion is granted.

IV.

LIENS AND MORTGAGES

That so far as known to Petitioner, Decedent left no liens and/or mortgages of record.

V.

DEBTS OF DECEDENT

That so far as known to Petitioner, the debts and last expenses of the Decedent have been paid and there are no known creditors.

///

VI.

HEIRS AND NEXT-OF-KIN

That so far known to Petitioner, the names, relationships, ages, and addresses of the heirs and next-of-kin of Decedent are as follows:

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>ADDRESS</u>
Wayne P. Robinson	Son	Adult	19510 Wilderness Lane Cottonwood, CA 96022
Scott S. Robinson	Son	Adult	5 Yorktown Drive Carson City, NV 89703
William K. McCulloch	Son	Adult	3551 Pinewood Court Johnstown, CO 80534
Connie J. Noland Hicks	Mother	Adult	P.O. Box 267 Eureka, NV 89316
William E. Hicks	Brother	Adult	P.O. Box 95 Eureka, NV 89316
Rhonda J. Brown	Sister	Adult	P.O. Box 478 Eureka, NV 89316

VII.

DEVISEES

That so far known to Petitioner, the names, relationships, ages, and addresses of the devisees of Decedent pursuant to NRS 134.090 (No surviving spouse, but issue):

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>ADDRESS</u>
Wayne P. Robinson	Son	Adult	19510 Wilderness Lane Cottonwood, CA 96022
Scott S. Robinson	Son	Adult	5 Yorktown Drive Carson City, NV 89703
William K. McCulloch	Son	Adult	3551 Pinewood Court Johnstown, CO 80534

///

VIII.

ATTORNEYS' FEES AND COSTS

That it was necessary for the Petitioner to retain the services of an attorney to Petition the Court to set aside the estate, and the fees and costs incurred by the Petitioner should be paid from the assets of the estate in the amount of Two Thousand and No/100 Dollars (\$2,000.00) plus all costs advanced, in the amount of \$325.50.

IX.

WELFARE BENEFITS

That so far as known to Petitioner, the Decedent was not a recipient of benefits from the Department of Health and Human Services of the State of Nevada.

X.

DISTRIBUTION OF ESTATE

Pursuant to NRS 134.090 if the decedent leaves no surviving spouse, but leaves issue surviving, then the estate passes to the children of the decedent. That pursuant to NRS 146.070, this Court sets aside the Decedent's entire estate to Decedent's children, in equal shares, share and share alike to WAYNE P. ROBINSON, SCOTT S. ROBINSON, and WILLIAM K. McCULLOCH.

XI.

NONPROBATE TRANSFERS

That Pursuant to NRS 146.070(2), petitioner's attorney fees and costs will be paid from the administration, all debts of the decedent have been paid, there is no claim from Medicaid, and there are no nonprobate transfers of the decedents assets. As such, the estate is in a position to be distributed to the devisees herein named.

NOW THEREFORE, IT IS HEREBY FURTHER ORDERED:

1. That all notices as required by law have been given in this matter.
2. That all appraisals for the decedent's property are waived.
3. That decedent's estate subject to administration in the State of Nevada does not exceed One Hundred Thousand and No/100 Dollars (\$100,000.00).

4. That Petitioner is authorized and directed to pay an attorneys' fees to Allison MacKenzie, Ltd., in the amount of Two Thousand and No/100 Dollars (\$2,000.00) plus any costs advanced, in the amount of \$325.50.

5. That the Decedent's entire estate, now known or hereinafter discovered, is set aside to WAYNE P. ROBINSON, SCOTT S. ROBINSON, and WILLIAM K. McCULLOCH, share and share alike, including but not limited to the following assets:

A. Real property located in Eureka, Nevada, APN: 001-012-29, more specifically described as:

Parcel No. 2 of that certain Parcel Map for David A. Pastorino as recorded in the office of the Recorder of Eureka County, Nevada, on September 7, 2006, as File No. 206144.

B. 2003 Volvo XC70 VIN: YV1SZ59H431111180

C. Bank of America Savings Account ending 0451

D. Bank of America Checking Account ending 9747

IT IS SO ORDERED.

DATED this 10th day of July, 2017.

DISTRICT JUDGE

4849-1326-0869, v. 1

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original in file and of record in my office.

DATE 7-10-77
BOBBIE R. WILLIAMS Clerk of Court

By Andrew Deputy