

APN: 001-213-05

EUREKA COUNTY, NV

2018-235560

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GOICOECHEA, DI GRAZIA, COYLE & STANTON, LTD.

LISA HOEHNE, RECORDER

**Recording Requested
by and Returned To:
Name:**

**Goicoechea, Di Grazia,
Coyle & Stanton, Ltd.**

**Address:
City/State/Zip:**

**530 Idaho Street
Elko, NV 89801**

**IN THE MATTER OF THE ESTATE OF:
PARK R. BLAIR**

**ORDER APPOINTING SPECIAL ADMINISTRATOR AND THE ISSUANCE OF
SPECIAL LETTERS**

(Title of Document)

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ELKO CO DISTRICT COURT

CLERK DEPUTY

1 CASE NO. PR-PR-18-47

2 DEPT. NO. 1

3 Affirmation: This document does
4 not contain the social security
5 number of any person.

6 **IN THE FOURTH JUDICIAL DISTRICT COURT**
7 **OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF ELKO**

8 **IN THE MATTER OF THE ESTATE OF:**)

9 **PARK R. BLAIR,**

10 Deceased.)

**ORDER APPOINTING SPECIAL
ADMINISTRATOR AND THE
ISSUANCE OF SPECIAL LETTERS**

11 **TO THE ABOVE CAPTIONED COURT:**

12 GALEN SCHORSCH, by and through his attorney LAUREN A. LANDA, Esq.,
13 having filed a PETITION FOR ORDER APPOINTING SPECIAL ADMINISTRATOR
14 AND THE ISSUANCE OF SPECIAL LETTERS ("Petition"), and on proof having been
15 made to the satisfaction of the Court, the Court now finds as follows:

16 1. Petitioner is a resident of the State of Nevada and resides at the following
17 address: 812 Hillside Dr. Elko, NV 89801.

18 2. Petitioner's relationship to Decedent is: Executor.

19 3. Petitioner is over the age of 18 years of age, and has never been convicted
20 of a felony. Petitioner is qualified under NRS 139.010 to serve as Special Administrator of
21 the Estate.

22 4. A Special Administrator is needed for one or more of the following reasons:

23 There is a delay in granting letters testamentary or letter of
administration;

24 Letter have been granted irregularly;

25 No sufficient bond is filed as required by the court;

26 No petition has been filed for letters;

27

- 1 □ An executor or administrator has died or has been suspended or removed
2 and the circumstances of the estate require the immediate appointment
3 of a personal representative;
- 4 X There may be no assets subject to administration but good cause exists
5 for the appointment of a personal representative of the decedent; and
- 6 X The following other proper case: that Decedent loaned sums of money
7 to ALPARK PETROLEUM, INC. ("ALPARK"), in his individual
8 name, PARK R. BLAIR, which are secured by Deeds of Trust
9 evidenced by promissory notes of even date therewith in the principal
10 amount of \$1,111,724.55 recorded on the real properties previously
11 owned by ALPARK, specifically Deed of Trust recorded on June 11,
12 1991, recorded in the office of the Elko County Recorder at book 754,
13 page 896 (Note 1); Deed of Trust in the principal amount \$1,195,446.55
14 evidenced by "certain Revision of Promissory Note of even date
15 hereof", recorded in the office of the Lander County Recorder at book
16 369, page 212-18 (Note 2) and in the office of the Eureka County
17 Recorder at book 232, 264-69 (Note 3). The foregoing Deeds of Trust
18 are attached to the Petition as EXHIBIT "A" and incorporated therein
19 by reference.

20 On the 26th day of July, 2006, Decedent executed a "General
21 Assignment" in order to transfer his assets to his Revocable Living
22 Trust, a copy is attached to the Petition as EXHIBIT "B" and
23 incorporated therein by reference. Exhibit "B" to the General
24 Assignment specifically references debts owed by ALPARK and
25 declares that they are thereby assets of the Trust. On March 12, 2010,
26 ALPARK, as Maker, executed a promissory note, and secured a deed of
27 trust in the principal amount of \$2,526,000.00 for the benefit of the
 PARK. R. BLAIR TRUST, recorded in the office of the Elko County
 Recorder's Office as Doc #624330 (Note 4), this promissory note has
 been revised, and the revision has been amended.

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Notes 1, 2 and 3 secured by deeds of trust were intended to be replaced by Note 4 and the corresponding deeds of trust released and reconveyed or amended, to reflect ownership thereof by the Trust.

Petitioner requests the authority of this court to allow Lauren A. Landa, of Goicoechea, Di Grazia, Coyle & Stanton, Ltd., to substitute in as Trustee on the Deeds of Trust wherein Decedent is named as the Beneficiary, specifically, those securing Notes 1, 2, and 3, and to execute and record a release(s) and reconveyance(s) of those Deeds of Trust as herein described, the proposed form of which is attached to the Petition as EXHIBIT "C" and incorporated therein by reference.

5. The Decedent died testate, a copy of the Last Will and Testament of Park R. Blair is attached to the Petition as EXHIBIT "D" and incorporated therein by reference.

6. That appointment of a Special Administrator be made at chambers without notice for the following reasons: Notes 1, 2, and 3 have a zero value. Further, the Assignment shows intent to assign the amount owed to the Trust and Special Administration is required to clear title.

7. Decedent died on March 29, 2014. A copy of a Certified copy of his death certificate is attached to the Petition as EXHIBIT "E" and incorporated therein by reference.

8. The names, ages, and residences of the heirs, next of kin, legatees, and devisees of Decedent, so far are known to Petitioner are:

<u>Name</u>	<u>Age</u>	<u>Relationship</u>	<u>Address</u>
PARK R. BLAIR TRUST AND AMENDED AND RESTATED TRUST AGREEMENT		Will Beneficiary	Galen Schorsch, Successor Trustee 812 Hillside Dr. Elko, NV 89801
DALE BLAIR	Adult	Surviving Spouse; Trust Beneficiary	c/o Robyn Anthony and Pamela Williams, Attorneys-in-Fact 468 Smokey Pl. Spring Creek, NV 89815

1	RANDOL BLAIR	Adult	Son	
2	ROBERT BLAIR	Adult	Son	
3	NANCY EASTERLY	Adult	Daughter	
4	SUSAN McGRATH	Adult	Daughter	
5	PAMELA WILLIAMS	Adult	Step-Daughter	
6	ROBYN ANTHONY	Adult	Step-Daughter	
7	PRESTON A. BLAIR	Adult	Brother	
8	SANDRA E. COX	Adult	Sister	

11 9. That the FOURTH Section of the Decedent's Will states the following:

12 I have intentionally made no provision in the Will and my Living Trust and leave
 13 nothing to the following: my brother, PRESTON A. BLAIR, my sister, SANDRA E. COX,
 14 my daughter, SUSAN McGRATH, my daughter NANCY EASTERLY, my son,
 15 RANDOL BLAIR and my son, ROBERT BLAIR...

16 10. That the necessity of this Special Administration is for administrative
 17 purposes to remedy title issues as stated herein. Petitioner herein requests that this Court
 18 waive any notice requirement(s) to the heirs, as they are expressly excluded as
 19 beneficiaries, the Notes are the only estate assets and they have a zero value, and the
 20 necessity of appointment is solely to clear title.

21 11. The Special Administrator should not be liable:

22 a. To any creditor on any claim against the estate; or

23 b. For any claim against the Decedent except a claim involving
 24 wrongful death, personal injury or property damage if the estate contains no
 25 assets other than a policy of liability insurance.

26 12. The appointment of Special Administrator should be made without bond,
 27 which is not needed and should be waived by the Court.

13. Upon the filing of the Order, the Clerk should issue special letters of
 administration, with a copy of the order attached.

1 14. Before letters are issued, Petitioner should take the usual oath of office.

2 15. If letters testamentary or letters of administration are granted, the powers of
3 the Special Administrator should cease, and the Special Administrator should immediately
4 deliver to the executor or administrator all the property and effects of the Decedent in the
5 possession of the Special Administrator and the executor or administrator should prosecute
6 to final judgment any action commenced by the special administrator.

7 16. The Special Administrator should render an account, under oath, of the
8 proceedings in like manner as other administrators are required to do, but if Petitioner is
9 appointed the succeeding administrator or the executor, the accounting otherwise due from
10 Petitioner may be included in the first accounting as administrator or executor.

11 17. That the Special Administrator be granted with the authority to direct
12 Lauren A. Landa, of Goicoechea, Di Grazia, Coyle & Stanton, Ltd., to substitute in as
13 Trustee on the Deeds of Trust wherein Decedent is named as the Beneficiary, specifically,
14 those securing Notes 1, 2, and 3, and to execute and record a release and reconveyance of
15 those Deeds of Trust as herein described and authority to execute and record said
16 documents, without further notice to the heirs or further Order of this Court.

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

18 1. Petitioner is appointed as Special Administrator, and granted with Letters
19 of Special Administration, at chambers, on the above terms and conditions, which shall
20 include the powers granted to general personal representatives pursuant to NRS 143.010 to
21 143.210, inclusive, and with full authority to administer Decedent's estate pursuant to NRS
22 143.300 to 143.815.

23 2. Upon issuance of the Letters of Special Administration, the Special
24 Administrator is hereby granted with the authority to direct Lauren A. Landa, of
25 Goicoechea, Di Grazia, Coyle & Stanton, Ltd., to substitute in as Trustee on the Deeds of
26 Trust wherein Decedent is named as the Beneficiary, specifically, those securing Notes 1,
27 2, and 3, and to execute and record a release and reconveyance of those Deeds of Trust as
herein described, without further notice to the heirs or Order of this Court.

 3. Notice to the heirs listed above is hereby waived.

DATED April 26, 2018

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Nancy Porter
DISTRICT JUDGE

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CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE
14th day of July, 2018

13

Coral Jones

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CLERK

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