

APN: 005-430-12; 002-027-10

**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: Howard G. Wright

Address: 81 Arabian Ranch Road

City, State, Zip: Crescent Valley, NV 89821

EUREKA COUNTY, NV

Rec \$35.00

Total \$35.00

ROBERT J WINES

**2018-235872**

**08/27/2018 01:21 PM**

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LISA HOEHNE, RECORDER

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-1806-371

2 Dept. I

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

3 AUG 03 2018

4 By Eureka County Clerk  
M. Anderson

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 CECIL G. WRIGHT, aka CECIL GENE  
WRIGHT,

**ORDER TO SET ASIDE  
WITHOUT ADMINISTRATION**

11 Deceased.

12 \_\_\_\_\_ /  
13 HOWARD G. WRIGHT, filed herein his Petition to Set Aside Without Administration of  
14 the Estate of CECIL G. WRIGHT, aka CECIL GENE WRIGHT; Notice of Hearing has been given  
15 for the time and in the manner required by law; Notice of Hearing was given to State of Nevada,  
16 Medicaid Estate Recovery by certified mail on July 9, 2018; this is the time and place scheduled for  
17 a hearing on this matter; no one having appeared or objected, and the Court being fully informed,  
18 hereby finds as follows:

19 1. That Petitioner is over the age of majority, and is a resident of Eureka County,  
20 Nevada. Petitioner's address is 81 Arabian Ranch Road, Crescent Valley, NV 89821. Petitioner has  
21 never been convicted of a felony. The Petitioner is one of the surviving children of the above named  
22 deceased person.

23 2. That the above-named Deceased died testate on March 10, 2018, in Elko County,  
24 Nevada, and at the time of his death, he was a resident of Eureka, Nevada. A copy of his Last Will  
25 and Testament, dated March 21, 1993, is attached to the Petition as Exhibit "1". The original Will  
26 has been deposited with the Eureka County Clerk. The original Will should be opened, published  
27 and admitted to Probate.

28 ///

1           3.     This Court should find that the Will meets all statutory requirement of Nevada  
2 Revised Statutes, and that it has been properly executed, witnessed, and contains the required self  
3 proving affidavit.

4           4.       A copy of Decedent's Certificate of Death is attached as an Exhibit to the separate  
5 document, encaptioned "Redacted Copy of Death Certificate".  
6

6 5. That at the time of Decedent's death, he was a widow and was survived by two (2)  
7 children. That the heirs-at-law of Decedent, and their respective relationships and addresses are as  
8 follows:

**NAME AND ADDRESS**

Howard G. Wright  
81 Arabian Ranch Road  
Crescent Valley, NV 89821

RELATIONSHIP

Son

Thomas G. Wright  
310 W. 400 S.  
Tooele, UT 84074

Son

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

**PARCEL 1:**

TOWNSHIP 29 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 11: NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>

APN: 005-430-12

**PARCEL 2:**

Block 2, Lot 5, CRESCENT VALLEY RANCH and FARMS UNIT # 1, as shown on the official map filed in the Office of the County Recorder of Eureka County, Nevada on April 6, 1959.

APN: 002-027-10

TOGETHER WITH any and all buildings and improvements situate thereon.

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

1       SUBJECT to all conditions, covenants, easements, exceptions, reservations,  
2       restrictions, and rights of way of record.

3       7.       Decedent and his predeceased wife held title to the foregoing property as joint tenants.  
4       An Affidavit Terminating Joint Tenancy for the above described property has been recorded in  
5       Official Records, Eureka County, Nevada.

6       8.       A copy of the Eureka County Assessor's Secured Property Detail for the herein  
7       described parcels of property are attached to the Petition as Exhibits "2" and "3". Pursuant thereto,  
8       the value of Parcel 1 is \$2,049.00 and the value for Parcel 2 is \$26,806.00; based thereon, the total  
9       value of the real property of this Estate is \$28,855.00.

10       9.       In addition to the foregoing real property, Decedent and his predeceased wife held  
11       title to the following items of personal property:

- 12               A.       2007 Chevrolet K1500 Silverado extended cab pickup,  
13                       VIN: 1GCEK19B97Z195581;  
14               B.       1963 Shasta House Trailer, VIN: FS21857; and  
15               C.       1982 Fleetwood Westfield, 66' x 14' manufactured home,  
16                       VIN: IDFL1AC06042876.

17       10.       The titles on all of the foregoing vehicles and homes are vested to Cecil or Charlotte,  
18       and because Charlotte predeceased Cecil, Cecil succeeded to ownership thereof.

19       11.       Decedent also owned the following items of property in his sole name:

- 20               A.       1993 Pontiac automobile, VIN: 1G2NE543XPC750544; and  
21               B.       1987 Homemade Utility Trailer, VIN: 88NV1201.

22       12.       The heirs have entered into an Agreement regarding disposition of the above  
23       identified items of personal property; a copy of that Agreement is attached to the Petition as Exhibit  
24       "4".

25       13.       The heirs have undertaken valuation of the personal property, and have established  
26       the following values for the respective items:

- |  |             |
|--|-------------|
| 27               A.       2007 Chevrolet K1500 Silverado | \$16,000.00 |
| 28               B.       1963 Shasta House Trailer      | \$ 500.00   |

C.	1982 Fleetwood Westfield, manufactured home	\$ 8,200.00
D.	1993 Pontiac automobile	\$ 1,000.00
E.	1987 Homemade Utility Trailer	\$ <u>500.00</u>
	Total Value:	\$26,200.00

14. Based on the foregoing information, Petitioner asserts that the Decedent's total value in the described property has a total value of \$55,055.00, and therefore, the total value of this Estate does not exceed the sum of \$100,000.00, and is within the statutory value to allow a set aside of this property without administration.

15. That Petitioner is informed and believes that, at the time of Decedent's death, there were no liens or encumbrances of record against said property interest and all ad valorem taxes have been paid.

16. That Petitioner has no knowledge of any unpaid expenses of last illness and any other unpaid obligations owing by CECIL G. WRIGHT, and based thereon, asserts that there are no unpaid obligations owing by Decedent. Petitioner asserts that his funeral expenses have been paid in full.

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

18. That Petitioner has engaged ROBERT J. WINES, PROF. CORP., to petition this Court, and will incur court costs and legal fees; this Court should order Petitioner to pay to ROBERT J. WINES, PROF. CORP., a reasonable fee in the sum of \$825.00, together with all costs incurred.

19. Pursuant to the agreement, attached to the Petition as Exhibit "4", the Court should order distribution of the property as follows:

A. PARCEL 1: (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 11, TOWNSHIP 29 NORTH, RANGE 48 EAST, M.D.B.&M.) APN: 005-430-12 and PARCEL 2: (Block 2, Lot 5, CRESCENT VALLEY RANCH and FARMS UNIT #1) APN: 002-027-10, together with the 1982 Fleetwood Westfield, 66' x 14' manufactured home, VIN: IDFL1AC06042876, should be distributed to HOWARD G. WRIGHT and THOMAS G. WRIGHT, share and share alike;

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1 B. 2007 Chevrolet K1500 Silverado extended cab pickup, VIN:  
2 1GCEK19B97Z195581, should be distributed to THOMAS G. WRIGHT, as  
3 his sole and separate property; and

4 C. 1963 Shasta House Trailer, VIN FS21857; 1993 Pontiac automobile, VIN:  
5 1G2NE543XPC750544; and 1987 Homemade Utility Trailer, VIN:  
6 88NV1201, should be distributed to HOWARD G. WRIGHT as his sole and  
7 separate property.

8 20. That any and all other items of real or personal property hereinafter discovered with  
9 a value less than \$100,000.00 and within the jurisdiction of this Court, should be set aside pursuant  
10 hereto without further order of this Court to HOWARD G. WRIGHT and THOMAS G. WRIGHT,  
11 share and share alike.

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

13 1. That Decedent's value in the parcels of property, and that the total value of the Estate  
14 does not exceed the sum of \$100,000.00 and that the same shall not be administered upon;

15 2. That Decedent's interest in and to the hereinabove described property is hereby  
16 assigned and set apart as follows:

17 A. PARCEL 1: (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 11, TOWNSHIP 29 NORTH,  
18 RANGE 48 EAST, M.D.B.&M.) APN: 005-430-12 and PARCEL 2: (Block  
19 2, Lot 5, CRESCENT VALLEY RANCH and FARMS UNIT # 1) APN: 002-  
20 027-10, together with the 1982 Fleetwood Westfield, 66' x 14' manufactured  
21 home, VIN: IDFL1AC06042876., is hereby distributed to HOWARD G.  
22 WRIGHT and THOMAS G. WRIGHT, share and share alike;

23 B. 2007 Chevrolet K1500 Silverado extended cab pickup, VIN:  
24 1GCEK19B97Z195581, is hereby distributed to THOMAS G. WRIGHT, as  
25 his sole and separate property; and

26 ///

27 ///

28 ///

1 C. 1963 Shasta House Trailer, VIN FS21857; 1993 Pontiac automobile, VIN:  
2 1G2NE543XPC750544; and 1987 Homemade Utility Trailer, VIN:  
3 88NV1201, are hereby distributed to HOWARD G. WRIGHT as his sole and  
4 separate property;

5 3. Any and all other items of real or personal property hereinafter discovered with a  
6 value less than \$100,000.00 and within the jurisdiction of this Court, are hereby set aside without  
7 further order of this Court to HOWARD G. WRIGHT and THOMAS G. WRIGHT, share and share  
8 alike;

9 4. Petitioner shall pay a reasonable attorney fee of \$825.00, payable to ROBERT J.  
10 WINES, PROF. CORP., together with all costs incurred.

11 DATED this 3<sup>rd</sup> day of August, 2018.

12   
13 DISTRICT JUDGE

14  
15 **AFFIRMATION STATEMENT**

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

18   
19 ROBERT J. WINES

20  
21  
22  
23  
24 SEVENTH JUDICIAL DISTRICT COURT,  
IN AND FOR COUNTY OF EUREKA,  
STATE OF NEVADA

} SS

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  
28 my office and that I have carefully compared the same with the  
original.

DISTRICT COURT, this 15<sup>th</sup> day of August 20 18

County Clerk and Ex-Officio Court Clerk



Deputy Clerk