

APN: 005-410-07; 005-002-04; 005-230-16
003-042-02; 003-141-25

EUREKA COUNTY, NV
Rec:\$35.00
Total:\$35.00
ROBERT J WINES

2018-235873
08/27/2018 01:26 PM
Pgs=7



00002369201802358730070079

LISA HOEHNE, RECORDER

Recording Requested By:

Name: Robert J. Wines, Prof. Corp.

Address: 687 6th Street, Suite 1

City, State, Zip: Elko, NV 89801

Send Tax Statement To:

Name: Joyce L. Rein

Address: 405 NE 7th Street

City, State, Zip: Abilene, KS 67410

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:

A handwritten signature in cursive script, appearing to read 'Robert J. Wines', written over a horizontal line.
ROBERT J. WINES

Attorney
Title

1 CASE NO. PR-1806-370

2 Dept. II

NO. _____

FILED

3 AUG 03 2018

4 By Eureka County Clerk
Michelle Lane

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 JOHNNY REIN, aka JOHNNY LEON
11 REIN, aka JOHNNY L. REIN, aka
12 JOHN REIN, aka JOHN L. REIN,

Deceased.

**ORDER TO SET ASIDE
WITHOUT ADMINISTRATION**

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

19 1. That Petitioner is a resident of Dickinson County, Kansas; Petitioner has qualified
20 as Personal Representative in the State of Kansas, being the home state of the Decedent. Petitioner's
21 address is 2460 Haven Drive, Abilene, Kansas, 67410. Petitioner has never been convicted of a
22 felony. Attached to the Petition as Exhibit "1" is an Affidavit executed by Curtis Rein, which
23 describes his appointment by the Court in Kansas, and other information with respect to this Estate.

24 2. That the above-named Deceased died intestate on February 21, 2017, in Dickinson
25 County, Kansas, and at the time of his death, he was a resident of Abilene, Kansas. A copy of his
26 Certificate of Death is attached as an Exhibit to the separate document, encaptioned "Redacted Copy
27 of Death Certificate" and incorporated herein by this reference.

28 ///

3. That at the time of Decedent's death, he was unmarried and was not survived by any children. His father predeceased him. That the heirs-at-law of Decedent, and their respective relationships and addresses are as follows:

NAME AND ADDRESS

RELATIONSHIP

Joyce L. Rein
405 NE 7th St.
Abilene, KS 67410

Mother

Curtis Rein
2460 Haven Dr.
Abilene, KS 67410

Brother

Vicki L. Gieber
2845 Fair Rd.
Abilene, KS 67410

Sister

Ronald Rein
504 NE 13th St.
Abilene, KS 67410

Brother

Verlyn L. Rein
616 3400 Ave.
Abilene, KS 67410

Brother

4. 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 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 21: NW $\frac{1}{4}$ SE $\frac{1}{4}$

APN: 005-410-07

PARCEL 2:

TOWNSHIP 30 NORTH, RANGE 48 EAST, M.D.B.&M,

Section 17: NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$

APN: 005-200-04

///

///

///

1 PARCEL 3:

2 TOWNSHIP 30 NORTH, RANGE 48 EAST, M.D.B.&M,

3 Section 27: NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

4 APN: 005-230-16

5 PARCEL 4:

6 Lot 3, Block 9, CRESCENT VALLEY RANCH & FARM, UNIT 3

7 APN: 003-042-02

8 PARCEL 5:

9 CRESCENT VALLEY RANCH & FARM UNIT 5

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

11 Section 29: N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

12 APN: 003-141-25

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

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

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

18 5. A copy of the Eureka County Assessor's Secured Property Detail for the herein
19 described parcels is attached to the Petition as Exhibits "2", "3", "4", "5", and "6" respectively.
20 Pursuant thereto, the value of these five (5) parcels is \$18,444.00.

21 6. At the time of Decedent's death he owned the following described parcels of real
22 property located in the County of Pershing, State of Nevada; that all of said Estate is within the
23 jurisdiction of the above entitled Court and more particularly described as follows:

24 PARCEL 6:

25 Lot 5 of Section 15, Township 28 North, Range 35 East, M.D.B.&M.

26 APN: 015-320-05

27 ///

28 ///

1 PARCEL 7:

2 Lot 9 of Section 15, Township 28 North, Range 35 East, M.D.B.&M.

3 APN: 015-320-09

4 PARCEL 8:

5 Lot 11 of Section 1, Township 27 North, Range 35 East, M.D.B.&M.

6 APN: 015-210-11

7 PARCEL 9:

8 Lot 2 of Map of Division into Large Parcels for Reserve Land Management, Inc.,
9 within Section 35, Township 27 North, Range 33 East, M.D.B.&M. Recorded in the
10 Office of the Pershing County Recorder on June 28, 2007, under File Number
11 355818, Pershing County, Nevada.

12 APN: 015-680-02

13 7. A copy of the Pershing County Assessor's Secured Property Detail for the herein
14 described parcels are attached to the Petition as Exhibits "7", "8", "9", and "10". Pursuant thereto,
15 the value of these four (4) parcels is \$20,000.00.

16 8. Based on the foregoing information, the total value of this Estate does not exceed the
17 sum of \$100,000.00; the total value, as shown by Exhibits "2" through "10" is \$38,444.00.

18 9. NRS 134.050 (3) provides that "if the decedent leaves no issue or surviving spouse,
19 the estate goes one-half to the father of the decedent and one-half to the mother of the decedent, if
20 both are living. If both parents are not living, the whole estate goes to either the father or the mother
21 then living." Decedent was survived only by his mother, and therefore, JOYCE L. REIN is the
22 person entitled to all of Decedent's interest in and to all of the foregoing property. JOYCE L. REIN
23 has designated Petitioner, CURTIS REIN, to handle all property in Nevada, and to liquidate the same
24 and deliver the cash to her.

25 10. Based on the foregoing, the Decedent's interest in and to the herein described parcels
26 of real property should be set aside without administration to CURTIS REIN, for the purpose of
27 liquidation of Decedent's interest in these parcels. The proceeds of sale should be deposited to the
28 primary Estate in Kansas, and paid out to Decedent's heir, JOYCE L. REIN, thereafter.

///

1 11. That Petitioner is informed and believes that, at the time of Decedent's death, there
2 were no liens or encumbrances of record against said property interest at the time of Decedent's
3 death; the current ad valorem taxes, for the current tax year, for Eureka County, have been paid in
4 full; the ad valorem taxes for the four (4) parcels located in Pershing County, Nevada, are past due,
5 and the total amount currently due and owing is \$284.44.

6 12. Any expenses of last illness and any other unpaid obligations, including funeral
7 expenses, will be paid from the primary Estate in Kansas by CURTIS REIN. Based thereon,
8 Petitioner asserts that there are no unpaid obligations owing by Decedent that need to be resolved
9 by this Court.

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

11 14. 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 \$950.00, together with all costs incurred.

14 15. 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 CURTIS REIN, in its capacity as Personal
17 Representative in the State of Kansas.

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

19 1. That the Court find that Decedent's value in these parcels of property, and that the
20 total value of the Estate does not exceed the sum of \$100,000.00 and that the same shall not be
21 administered upon;

22 2. That Decedent's interest in and to the hereinabove described parcels of real property
23 be assigned and set apart to CURTIS REIN, in his capacity as Personal Representative in the State
24 of Kansas, for the purpose of liquidation, and that the proceeds of sale be deposited to the primary
25 Estate in Kansas, for the purpose of resolving any outstanding creditor obligations and ultimately
26 for distribution to JOYCE L. REIN;

27 ///

28 ///

3. Any and all other items of real or personal property hereinafter discovered with a value less than \$100,000.00 and within the jurisdiction of this Court, should be set aside without further order of this Court to CURTIS REIN, in his capacity as Personal Representative in the State of Kansas;

4. For an Order that Petitioner pay a reasonable attorney fee of \$950.00, payable to ROBERT J. WINES, PROF. CORP., together with all costs incurred.

DATED this 3rd day of August, 2018.


DISTRICT JUDGE

AFFIRMATION STATEMENT

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

Robert J. Wines
ROBERT J. WINES

SEVENTH JUDICIAL DISTRICT COURT,
IN AND FOR COUNTY OF EUREKA,
STATE OF NEVADA

} SS

I, the Undersigned COUNTY CLERK and Ex-Officio
CLERK of the SEVENTH JUDICIAL DISTRICT COURT do hereby CERTIFY
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.

DISTRICT COURT, this 15th day of August 20 18

County Clerk and Ex-Officio, Court Clerk
Emma Pearce Deputy Clerk