

RECORDING REQUESTED BY:

Reliant Title
905 Railroad St., Ste. 204
Elko, NV 89801

WHEN RECORDED MAIL TO:

Alfred R. Gourley
2866 Carroll Creek RD.
Johnson City, TN 37615

EUREKA COUNTY, NV

2019-238019

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\$35.00 Pgs=5

02/04/2019 04:54 PM

RELIANT TITLE - ELKO

LISA HOEHNE, CLERK RECORDER

Escrow No.: 204-1800554-EMC

APN: 007-392-09

**ORDER TO PETITION TO REOPEN ESTATE
PURSUANT TO NRS 151.240**

1 CASE NO. PR-P2-16-18

2 DEPT. NO. 1

2019 JAN 17 PM 4:55

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

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

9 IN THE MATTER OF THE ESTATE OF:

10 **JOHN A. GOURLEY,**

11 Deceased.

ORDER TO PETITION TO REOPEN
ESTATE PURSUANT TO NRS 151.240

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16 The verified PETITION TO REOPEN ESTATE PURSUANT TO NRS 151.240
17 ('Petition') filed on the 11th day of January, 2019, having come on regularly to be heard
18 on the 14th day of January, 2019, at the hour of 9:00 a.m., the Court finds that:

- 19 1. JOHN A. GOURLEY died on or about the 22nd day of December,
20 2015.
- 21 2. JOHN A. GOURLEY left a Will dated August 21, 2011. Alfred R.
22 Gourley was the sole Devisee therein.
- 23 3. ALFRED R. GOURLEY and WALTER I. LEBERSKI were
24 appointed as co-Executors of the Estate on March 17, 2016, and Letters of Administration
25 were issued on April 4, 2016.
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1 4. On March 7, 2017, the Court issued an Order Approving Waiver of
2 Account, Report of Administration and for Distribution and Authorization of Payment of
3 Attorney's Fees and Costs ("Order"), wherein the known property of the Estate was
4 distributed by the Court to Alfred R. Gourley as sole Devisee. Order is attached to Petition
5 as Exhibit "A."

6 5. On August 24, 2017, an Affidavit to Close Estate was filed after
7 filing the Receipts.

8 6. The Order authorized the co-Executors to execute documents
9 necessary to effectuate transfers to the Devisee, Alfred R. Gourley.

10 7. Co-Executor WALTER I. LEBERSKI is deceased, his date of death
11 being October 13, 2018. A copy of his Death Certificate is attached to Petition as Exhibit
12 "B" and incorporated therein by reference.

13 8. Walter I. Leberski was appointed as a co-Executor due the fact that
14 ALFRED R. GOURLEY was not a resident of the State of Nevada. However, ALFRED
15 R. GOURLEY is the Executor named in the Will and is not disqualified under NRS
16 138.020, and therefore is qualified to serve as sole Executor.

17 9. Due to inadvertence, a deed effectuating transfer to the sole Devisee,
18 ALFRED R. GOURLEY, was not executed by the co-Executors.

19 10. The names, ages, relationships and addresses of the heirs, devisees
20 and legatees of said Decedent are:

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
ALFRED R. GOURLEY	Adult-Son-Devisee	2866 Carroll Creek Rd. Johnson City, TN 37615
CADE WILLIAM EKSTROM	Adult-Son	2857 Oak Creek Jacksonville, FL 32221
CHEYENNE BUCHANNAN	Adult-Daughter	5028 Annunciation St. New Orleans, LA 70115

1 11. That the respective heirs of the Decedent were properly noticed of
2 the estate proceedings, specifically, but not limited to, the Notice of Hearing on Waiver of
3 Accounting and Report of Administration, Petition for Distribution, and Application for
4 Order Authorizing Payment of Attorney's Fees and Costs, Affidavit of Mailing thereof
5 dated February 14, 2017, and the sole purpose of reopening this estate is to effectuate a
6 deed by the Executor to transfer property to the Devisee, per the terms of the Order, and
7 for no other purpose. The decedent was a resident of Arizona at his death, and Medicaid
8 made no claim against this estate.
9

10 THEREFORE, IT IS DECREED, ORDERED, AND ADJUDGED THAT:

11 1. That the Estate of JOHN A. GOURLEY is hereby reopened
12 pursuant to NRS 151.240;

13 2. That the Letters of Administration shall be reissued to ALFRED R.
14 GOURLEY as sole Executor;

15 3. That Notice to Cade William Ekstrom, Cheyenne Buchannan, and
16 Nevada Medicaid is hereby dispensed with pursuant to NRS 155.010(1)(b)(3), for good
17 cause shown that the respective heirs of the Decedent were properly noticed of the estate
18 proceedings, specifically, but not limited to, the Notice of Hearing on Waiver of
19 Accounting and Report of Administration, Petition for Distribution, and Application for
20 Order Authorizing Payment of Attorney's Fees and Costs, Affidavit of Mailing thereof
21 dated February 14, 2017, and the sole purpose of reopening this estate is to effectuate a
22 deed by the Executor to transfer property to the Devisee, per the terms of the Order, and
23 for no other purpose. The decedent was a resident of Arizona at his death, and Nevada
24 Medicaid made no claim against this estate.
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4. That ALFRED R. GOURLEY as Executor is authorized to execute documents necessary to effectuate transfers to the Devisee , ALFRED R. GOURLEY.

5. That upon effectuating said documents and filing of a receipt by ALFRED R. GOURLEY, the Executor shall be deemed discharged from further responsibilities as such Executor without further order of this Court, and that the said Estate be then closed.

DATED this 17 day of January, 2019.

Nano Pate
DISTRICT JUDGE

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE
4th day of Feb, 2019

Kristine Jakeman
CLERK