

APN #: 002-024-02

Recording Requested By:

Name: Robert J. Wines, Esq.

Address: 687 6th Street, Suite 1

City, State, Zip: Elko, NV 89801

Send Tax Statement to:

Name: Bettie J. Krambs

Address: 8072 Speer Ranch Rd.

City, State, Zip: Forestville, CA 95436



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LISA HOEHNE, CLERK RECORDER

Order Authorizing Guardians to Act, and For Order Confirming California
Order to Sell Real and Personal Property

(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-1907-461

2 Dept. I

ORIGINAL

NO. _____ FILED

AUG 15 2019

By *[Signature]*
Eureka County Clerk

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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 GUARDIANSHIP
10 OF BETTIE J. KRAMBS, aka BETTY
11 J. KRAMBS, aka BETTY KRAMBS,

12 An Adult Protected Person.

**ORDER AUTHORIZING
GUARDIANS TO ACT, AND FOR
ORDER CONFIRMING CALIFORNIA
ORDER TO SELL REAL AND
PERSONAL PROPERTY**

13 MICHAEL KRAMBS and GARRETT KRAMBS domesticated a California Guardianship
14 Order, as required by NRS 159.2025; Petitioners filed herein their Petition for Authorization for
15 Guardians to Act, and for Order Confirming California Order to Sell Real and Personal Property;
16 Notice of Hearing has been given for the time, and in the manner, required by law; this is the time
17 and place scheduled for a hearing on this matter; no-one having appeared or contested the Petition,
18 and the Court being fully informed, hereby finds as follows:

19 **PETITIONERS:**

20 1. That Petitioners, MICHAEL KRAMBS and GARRETT KRAMBS, are the duly
21 appointed and qualified Conservators for the Incapacitated Person, BETTIE J. KRAMBS, aka
22 BETTY J. KRAMBS, aka BETTY KRAMBS, above named in her home state of California; the
23 Conservator's addresses are as follows:

24 **NAME AND ADDRESS**

25 Michael Krambs
319 Playa del Norte
26 La Jolla, CA 92037

27 Garrett Krambs
8072 Speer Ranch Rd.
28 Forestville, CA 95436

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AUG 12 2019

Eureka County Clerk

1 2. Petitioner MICHAEL KRAMBS is a adult person, and is a resident of La Jolla,
2 California; his date of birth is September 20, 1948; Petitioner has not been convicted of a felony, has
3 not filed bankruptcy within the prior seven (7) years, is competent and capable of acting as
4 Conservator for the herein named Protected Person and for her Estate, and hereby consents to act in
5 this capacity. This Petition is made and based upon Chapter 159 of Nevada Revised Statutes.
6 Pursuant to NRS Chapter 159, Petitioner MICHAEL KRAMBS alleges that he has never been
7 suspended nor disbarred from a professional practice for misconduct, does not engage in the habitual
8 use of alcohol or controlled substances, except by prescription, has never been judicially determined
9 to have committed abuse, neglect, exploitation, isolation or abandonment of a child, or parent or
10 other adult, and is not incompetent or disabled. Petitioner MICHAEL KRAMBS alleges that, within
11 the limitations established by the Protected Person's assets, he is capable of providing for the
12 Protected Person's basic needs. A copy of Petitioner MICHAEL KRAMBS identification is attached
13 to a Disclosure of Confidential Information and is contained in the record of this matter.

14 3. Petitioner GARRETT KRAMBS is a adult person, and is a resident of Forestville,
15 California; his date of birth is May 9, 1950; Petitioner has not been convicted of a felony, has not
16 filed bankruptcy within the prior seven (7) years, is competent and capable of acting as Conservator
17 for the herein named Protected Person and for her Estate, and hereby consents to act in this capacity.
18 This Petition is made and based upon Chapter 159 of Nevada Revised Statutes. Pursuant to NRS
19 Chapter 159, Petitioner GARRETT KRAMBS alleges that he has never been suspended nor
20 disbarred from a professional practice for misconduct, does not engage in the habitual use of alcohol
21 or controlled substances, except by prescription, has never been judicially determined to have
22 committed abuse, neglect, exploitation, isolation or abandonment of a child, or parent or other adult,
23 and is not incompetent or disabled. Petitioner GARRETT KRAMBS alleges that, within the
24 limitations established by the Protected Person's assets, he is capable of providing for the Protected
25 Person's basic needs. A copy of Petitioner GARRETT KRAMBS identification is attached to a
26 Disclosure of Confidential Information and is contained in the record of this matter.

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1 **JURISDICTION:**

2 4. This Court has jurisdiction over this matter, pursuant to NRS 159.2025 through
3 159.2027, because the property the Guardian is attempting to sell is located in the State of Nevada.

4 **BETTIE J. KRAMBS:**

5 5. Petitioners have been appointed as Conservators of the Protected Person's Estate in
6 her home state of California. Petitioner has filed Certified Copies of the Order Appointing
7 Conservators of the Person and Estate and Letters appointing Petitioners as Conservators in the
8 Protected Person's home state in the record of this proceeding. Petitioners are the surviving children
9 of the Protected Person. Petitioners have obtained an Order from the Court in California, authorizing
10 them to sell the Real Property hereinafter described.

11 6. The Protected Person, BETTIE J. KRAMBS, aka BETTY J. KRAMBS, aka BETTY
12 KRAMBS, is a 90 year old female, whose date of birth is February 16, 1929. Petitioners are
13 informed and believe that the Protected Person, BETTIE J. KRAMBS, aka BETTY J. KRAMBS, aka
14 BETTY KRAMBS, currently resides at 8072 Speer Ranch Road, Forestville, CA 95436. A copy of
15 BETTIE J. KRAMBS, aka BETTY J. KRAMBS, aka BETTY KRAMBS identification is attached to
16 a Disclosure of Confidential Information and is contained in the record of this matter. Copies of the
17 Guardians' identification cards are also attached to the Disclosure of Confidential Information,
18 contained in the record of this matter.

19 **NOTICE:**

20 7. Nevada Revised Statutes require the Petitioners to give notice to the Protected Person.
21 Petitioner is informed and believes that the Protected Person's current address is as follows:

22 **NAME AND ADDRESS**

23 Bettie J. Krambs
24 8072 Speer Ranch Road
24 Forestville, CA 95436

25 8. NRS 159.034 (2) requires the Petitioner to give notice to each person entitled to
26 notice, being all family members within the second degree. Both of the parents of the above named
27 Protected Person are deceased. The Protected Person is not currently married. Petitioners are
28 informed and believes that the family members within the second degree are as follows:

1	<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>
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2	Michael Krambs	Son
3	319 Playa del Norte	
4	La Jolla, CA 92037	

4	Garrett Krambs	Son
5	8072 Speer Ranch Rd.	
5	Forestville, CA 95436	

6 **ASSETS/OBLIGATIONS:**

7 9. All of the Protected Persons assets and obligations are in California, except the
8 property hereinafter described. The Protected Person is subject to an existing Conservatorship in the
9 State of California.

10 10. The only assets owned by the Protected Person, BETTIE J. KRAMBS, aka BETTY
11 J. KRAMBS, aka BETTY KRAMBS in the State of Nevada, consist of a parcel of real property, and
12 a mobile home located at 142 First Street, Crescent Valley, Eureka County, Nevada, and more
13 particularly described as follows:

14 Parcel 1 as shown on that certain Parcel Map for BETTY KRAMBS, filed in the
15 Office of the County Recorder of Eureka County, State of Nevada, on November 20,
16 2001, as File No. 177225, being a portion of Section 5, Township 29 North, Range
17 48 East, M.D.B.&M.

17 EXCEPTING THEREFROM all petroleum, oil, natural gas and products derived
18 therefrom within or underlying said land or that may be produced therefrom, and all
19 rights thereto, as reserved by Southern Pacific Land Company, in deed to H. J.
20 Buchenau and Elsie Buchenau, recorded September 24, 1951, in Book 24 of Deeds
21 at Page 168, Eureka County, Nevada.

20 TOGETHER WITH that certain 1993 Nashua Castlewood, 13'6" x 66'8"
21 manufactured home, SN: NCID32502.

21 APN: 002-024-02; TU: MH 001363

22 11. Petitioners do not require access to any of the Protected Person’s assets or accounts,
23 except the property described herein, as the purpose of this Petition is to confirm sale of the real
24 property and manufactured home.

25 12. NRS 159.2027(1) provides that “Upon registration of a guardianship, the guardian
26 may exercise in this State all powers authorized in the order of appointment except as prohibited
27 under the laws of this State, including maintaining actions and proceedings in this State and, if the
28 guardian is not a resident of this State, subject to any conditions imposed upon nonresident parties.”

1 13. The Court in California has authorized the sale of the real property and manufactured
2 home without the requirement of confirmation of sale; pursuant to California law, the property has
3 been appraised by a California Court Referee and that a Appraisal/Opinion of Value is attached to
4 the Petition as Exhibit "1".

5 14. By written Agreement, the Conservators received an Offer to Purchase the herein
6 described real and personal property, from DALE KERSEY and DIANA KERSEY. A copy of the
7 accepted Offer, together with an Addendum to extend closing until an Order Confirming Sale can
8 be obtained, is attached to the Petition as Exhibit "2". Generally, the terms of sale are for a selling
9 price of \$150,000.00, with \$75,000.00 paid at time of acceptance of Offer, and on February 1, 2019,
10 with a note receivable for the remaining \$75,000.00, without interest, payable at \$6,250.00 per
11 month; monthly payments commence February 1, 2019; Buyers reserved an option to pay cash at
12 closing for reduction in the selling price to \$145,000.00. Property is to be sold "AS-IS". Pursuant
13 to the Addendum rent and taxes are to be prorated effective February 1, 2019. All escrow and titling
14 fees are to be shared equally between Buyers and Seller.

15 15. The Court should authorize the Petitioners to complete the sale to DALE KERSEY
16 and DIANA KERSEY, on the terms set forth hereinabove.

17 16. Any requirement to publish Notice of Sale should be waived, as the California Court
18 has authorized the sale of this property without confirmation of sale.

19 **GUARDIAN POWERS:**

20 17. Petitioners should be granted all powers and authority set forth in NRS 159.119
21 through NRS 159.175, inclusive, in order to allow them to take all necessary actions with respect to
22 the matters addressed herein.

23 **FEES AND COSTS:**

24 18. Petitioners have engaged ROBERT J. WINES, PROF. CORP., to prepare this Petition
25 and obtain registration of the foreign Conservatorship in Nevada. Petitioners assert that pursuant
26 to *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345 (1969), the following factors apply to the
27 services rendered by the attorney in this matter: 1. That the quality of the advocate is high; 2. That
28 the character of the work was complex; 3. That the quantity of work performed was significant and

1 necessary for this Guardianship; and 4. The results obtained were favorable to the parties, and the
2 case is up to date and all assets are included and accounted accurately.

3 19. Petitioners have entered into a Fee Agreement with ROBERT J. WINES PROF.
4 CORP., and have agreed to pay an attorney fee in the amount of \$2,500.00, together with all costs
5 incurred. A copy of the Fee Agreement is contained in the file.

6 20. Petitioners are the children of the Protected Person, and are not paid for their services.

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

8 1. That MICHAEL KRAMBS and GARRETT KRAMBS are hereby appointed as
9 Guardians of the Estate of BETTIE J. KRAMBS, aka BETTY J. KRAMBS, aka BETTY KRAMBS
10 in the State of Nevada, with authority to transfer title to the real and personal property owned by the
11 Protected Person in the State of Nevada;

12 2. Sale is hereby confirmed to the herein described real and personal property to DALE
13 KERSEY and DIANA KERSEY on the terms described hereinabove;

14 3. MICHAEL KRAMBS and GARRETT KRAMBS have complied with all
15 requirements in the State of California for authorization to sell this property for the price, and on the
16 terms, described herein;

17 4. The Court hereby finds, that pursuant to *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev.
18 345 (1969), the following factors apply to the services rendered by the attorney in this matter: 1. That
19 the quality of the advocate is high; 2. That the character of the work was complex; 3. That the
20 quantity of work performed was significant and necessary for this Guardianship; and 4. The results
21 obtained were favorable to the parties, and the case is up to date and all assets are included and
22 accounted accurately;

23 5. MICHAEL KRAMBS and GARRETT KRAMBS shall pay attorney fees to ROBERT
24 J. WINES, PROF. CORP., in accordance with the Agreement; the Court finds that the agreed fee,
25 in the amount of \$2,500.00, plus all costs, is reasonable under the circumstances of this action;

26 6. That the Court waives the requirement that Petitioners publish Notice of Sale; and


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7. That the Court waives the requirement that Petitioners post a bond because the California Court has already instructed that a bond be posted.

DATED this 15th day of August, 2019.

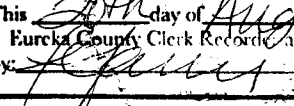

DISTRICT JUDGE

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

SEVENTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF EUREKA } SS
STATE OF NEVADA

I, the Undersigned County Clerk/Recorder and Ex-Officio Clerk of the Seventh Judicial District Court do hereby certify that the foregoing is a true and correct copy of the original on file in my office.
Witness hand and seal of the Seventh Judicial District Court
This 15th day of August 2019
Eureka County Clerk Recorder and Ex-Officio Court Clerk
By:  Deputy Clerk Recorder (Seal Affixed)