APN:

001-012-34; 001-012-35;

001-012-36; 001-033-08.

RECORDING REQUESTED BY:

MARVEL & MARVEL, LTD 217 IDAHO STREET ELKO, NV 89801 EUREKA COUNTY, NV
Rec:\$35.00
\$35.00
Pgs=7
MARVEL & MARVEL, LTD
LISA HOEHNE, CLERK RECORDER

MAIL TAX STATEMENTS TO:

DAVE PASTORINO, TRUSTEE P.O. BOX 525 EUREKA, NV 89316

ORDER SETTLING FIRST AND FINAL ACCOUNT, APPROVING ATTORNEY'S FEES, AND DECREE OF DISTRIBUTION

(Title of Document)

	NO FILED
1	CASE NO.: PR1611348 NOV 0 1 2019
2	DEPT. NO.: 1 Eugeld County Clerk
3	38 continue for a standard and a sta
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6	IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE
7	STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA
8	IN THE MATTER OF THE ESTATE OF
9	IN THE MATTER OF THE ESTATE OF ORDER SETTLING FIRST AND FINAL
10	ERIC JOHN PASTORINO ACCOUNT, APPROVING ATTORNEY'S FEES, AND DECREE OF DISTRIBUTION
11	Deceased TEES, AND DECREE OF DISTRIBUTION
12	The Executor of the above-entitled Estate, having on the 21 st day of August, 2019, rendered
13	and filed herein an Account of the administration of said Estate, which Account was for final
14	settlement, and having with said Account filed a Petition for Final Distribution of said Estate, and
15	made Application for Approval of Attorney's Fees; and said Account, Application and Petition
16	having come on regularly to be heard on the 4 th day of October, 2019, at 10:00 a.m.; proof having
17	been made to the satisfaction of the Court that Notice of the settlement of said Account and of the
18	hearing of said Application and Petition has been given in the manner and for the time required by
19	law, as more fully appears by the Affidavit of Mailing on file herein, and the Court hereby finds:
20	1. That the Decedent, ERIC JOHN PASTORINO, died on the 4 th day of June, 2016, in
21/	Washoe County, Nevada, that the Decedent, at the time of death, was a resident of Eureka County,
22	Nevada, and that the Decedent left an estate in the County of Eureka, State of Nevada, consisting
23	of real and personal property.
24	2. That due and legal notice of the hearing of said Account, Application and Petition
25	has been given to all persons interested in said Estate.
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23 24 **NAME**

David A. Pastorino

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- 3. That said Account is in all respects true and correct; that said Executor has privately made most payments and disbursements on behalf of the Estate of Eric John Pastorino, and has been reimbursed only for such payments, as of the date of the filing of the First and Final Account, the sum of \$4,169.99; the cash on hand as of June 4, 2016, the date of death of the Deceased, was \$0.00; the cash on hand as of the 21st day of August, 2019, the date of filing the First and Final Account was \$55,830.01.
- 4. That due and legal Notice to Creditors of said Estate has been given in the manner and for the time required by law and that the time for filing of creditors' claims has expired.
- 5. That one (1) Creditor's Claim was filed against the Estate: Discover Bank in the sum of \$4,169.99, and the Executor has approved of said Creditor's Claim as valid claims against the Estate, and has paid and satisfied said creditor's claim.
- That the above-entitled Court on the 13th day of February, 2017, by its Order, duly 6. approved Summary Administration of the Estate; appointed DAVID A. PASTORINO Executor of the Estate of the Decedent; and, directed that Letters of Administration be issued to Petitioner. DAVID A. PASTORINO thereupon became, and now is, and ever since said date has been the duly appointed, qualified and acting Executor of said Estate.
- 7. That pursuant to NRS 144.010(1) and 144.020(4), the above-entitled Court on the 27th day of February, 2017, by its Order, released DAVID A. PASTORINO, Executor of the Estate, from the requirement of filing an Inventory, Appraisement and Record of Value in this matter.
- The names, addresses and relationship if the heirs, next of kin, devisees, and legatees 8. of the Decedent, as far as known to Petitioner, are as follows:

RELATIONSHIP ADDRESS **AGE** P.O. Box 525

Adult Brother

Eureka, NV 89316

9. That the whole of the property of the Estate was the sole and separate property of the Decedent.

1	10.	That the property within the jurisdiction of this Court, now	under the care,		
2	management and control of the Executor and subject to distribution is as follows:				
3	REAL PROPERTY:				
4	All tha	t certain property situate, lying and being in the County of Eureka, S	State of Nevada,		
5	and more par	ticularly described as follows:	\ \		
6	A.	Parcel 1 as shown on that certain Parcel Map for Eric J. Pastorino filed in the office of the County Recorder of Eureka County, State	\ \		
7		of Nevada, on September 7, 2006, as File No. 206145. APN: 001-012-34	7 /		
8			/		
9		Assessor Taxable Value: Amount Owed:	\$16,160.00 \$0.00		
10		ESTATE VALUE:	\$16,160.00		
11	B.	Parcel 2 as shown on that certain Parcel Map for Eric J. Pastorino			
12		filed in the office of the County Recorder of Eureka County, State of Nevada, on September 7, 2006, as File No. 206145.			
13		APN: 001-012-35			
14		Assessor Taxable Value:	\$16,160.00		
15		Amount Owed: <u>ESTATE VALUE</u> :	\$0.00 \$16,160.00		
16	_		\$10,100.00		
17	C.	Parcel 3 as shown on that certain Parcel Map for Eric J. Pastorino filed in the office of the County Recorder of Eureka County, State			
18		of Nevada, on September 7, 2006, as File No. 206145. APN: 001-012-36			
19		Assessor Taxable Value:	\$16,160.00		
20		Assessor raxable value. Amount Owed:	\$0.00		
21/		ESTATE VALUE:	\$16,160.00		
22	D.	Lots 6 through 11, plus portion of old railroad grade, in Block 39B,			
23		Town of Eureka, County of Eureka, State of Nevada. APN: 001-033-08			
24		Assessor Taxable Value:	\$122,894.00		
25		Amount Owed:	\$0.00		
26		ESTATE VALUE:	\$122,894.00		
27					
28					

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PERSONAL PROPERTY:

Miscellaneous household furniture, furnishings, tools, books, personal belongings and effects - sentimental value only:

ESTATE VALUE:

\$0.00

- 11. The Decedent left a Last Will and Testament, dated July 26, 2011, the original of which is herewith filed with the County Clerk of Eureka County, State of Nevada. That Petitioner is informed and believes, and on that basis alleges, that said Last Will and Testament is the last Will of the Decedent.
- 12. That pursuant to Decedent's Last Will and Testament, dated July 26, 2011, all the Decedent's Estate should be distributed to DAVID A. PASTORINO, Successor Trustee of THE ERIC J. PASTORINO FAMILY TRUST, dated July 26, 2011.
- 13. The Executor has performed services for the Estate, for which they are entitled to a statutory fee; however, the Executor has waived such fee.
- 14. That the law office of Marvel & Marvel, Ltd., has advanced certain costs and is entitled to reimbursement of costs advanced in the amount of \$770.90.
- 15. That the law office of Marvel & Marvel, Ltd., has performed services for the Estate by acting as attorneys for the Executor, and that the Executor and said attorneys have agreed to the sum of \$26,100.00 as a reasonable fee for said services.
- 16. That no Federal Estate Tax Return will be required to be prepared and filed, and there is no Federal Estate Tax liability to the Estate.
- 17. The Executor has prepared and timely filed a final income tax return for the Decedent as may be required.
- 18. The Executor will have prepared and filed a Fiduciary Income Tax return for the Decedent as may be required.
- 19. That the cash on hand of the Estate will be sufficient to cover all the costs and expenses, including attorneys' fees, incurred in the administration of the Estate.

20. That the necessary costs for closing said Estate are estimated to be less than \$500.00; that all claims and debts against said Decedent and against said Estate have been paid in full; that all expenses and charges of administration except as herein specifically set out have been paid in full; that the expenses of last illness and funeral expenses have been paid in full; that all taxes due and payable will be timely paid; that said Estate is ready for distribution and is now in a condition to be closed.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- 1. That due and legal notice of the hearing of said First and Final Account, Application for Approval of Attorney's Fees, and Petition for Distribution has been given to all persons interested in said Estate or entitled to notice thereof.
- 2. That Notice to Creditors has been given for the time and in the manner as provided by law, the time for the presentation of creditors' claims has expired, and that all creditor claims filed in the administration of the Estate have been approved and satisfied.
- 3. That the First and Final Account of the Administrators as rendered is hereby settled, allowed, approved, ratified and confirmed as rendered.
- 4. That the Executor is ordered to pay, pursuant to the terms of the Petition for Distribution, the following amounts for the purposes stated, which amounts are determined to be reasonable, to-wit:
- A. To Marvel & Marvel, Ltd., the sum of \$770.90 to reimburse said law office for costs advanced;
 - B. To Marvel & Marvel, Ltd., the sum of \$26,100.00 as attorneys' fees;
 - C. Necessary costs of closing the Estate.
- 5. That The Executor is ordered to timely file a Fiduciary Income Tax return for the Decedent as may be required and pay any tax due thereon and all costs incurred in the preparation of such return.
- 6. That the property of said Estate, as listed and described in Paragraph 10 of the Findings of Fact herein, be distributed to DAVID A. PASTORINO, Successor Trustee of THE ERIC J. PASTORINO FAMILY TRUST, dated July 26, 2011.

1	7. That any and all property in this Estate of any name, nature, character, or kind, not			
2	hereinabove described nor inventoried and appraised, or which may be incorrectly described, or			
3	hereinafter discovered, which shall be within the jurisdiction of the Court and which was owned by			
4	the Deceased at the date of the death of the Deceased, be distributed to DAVID A. PASTORINO,			
5	Successor Trustee of THE ERIC J. PASTORINO FAMILY TRUST, dated July 26, 2011.			
6	8. That a certified copy of this Decree of Distribution be recorded with the Eureka			
7	County Recorder.			
8	9. That the Executor, DAVID A. PASTORINO, be dismissed and discharged as			
9	Executor on the date there has been filed herein all of the necessary receipts showing payments as			
10	herein ordered and distributions undertaken in accordance herewith.			
11	IT IS SO ORDERED this the <u>AA</u> day of <u>Octoper</u> , 2019.			
12				
13	15/: Cary D. Fairman			
14	HONORABLÉ JUDGE DOBRESCU DISTRICT COURT JUDGE, DEPT 1			
15	Judge Fairman			
16	Submitted and Approved by:			
17	MARVEL & MARVEL, LTD.			
18				
19	JOHN E. MARVEL			
20	Nevada Bar No. 328 DUSTIN J. MARVEL			
21	Nevada Bar No. 12036			
22	217 Idaho Street Elko, Nevada 89801			
23	(775) 738-9881 dustinmarvel@marvellawoffice.com			
24	Attorneys for Petitioner/Estate			
25				
26	SEVENTH JUDICIAL DISTRICT COURT IN AND FOR THE COUNTY OF EUREKA STATE OF NEW ADA			
27	STATE OF ALCOUNT			
28	I, the Undersigned County ClerkRecorder 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/			
	By:, Beputy Clerk Recorder (Seal Affixed)			