

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

MAIL TAX STATEMENTS TO:

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

EUREKA COUNTY, NV

2019-239706

Rec:\$35.00

\$35.00

Pgs=7

11/18/2019 10:52 AM

MARVEL & MARVEL, LTD

LISA HOEHNE, CLERK RECORDER

**ORDER SETTLING FIRST AND FINAL ACCOUNT,
APPROVING ATTORNEY'S FEES, AND DECREE OF DISTRIBUTION**
(Title of Document)

NOV 01 2019

By Eureka County Clerk

CASE NO.: PR1611348

DEPT. NO.: 1

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

**IN THE MATTER OF THE ESTATE OF
ERIC JOHN PASTORINO**

Deceased

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

The Executor of the above-entitled Estate, having on the 21st day of August, 2019, rendered and filed herein an Account of the administration of said Estate, which Account was for final settlement, and having with said Account filed a Petition for Final Distribution of said Estate, and made Application for Approval of Attorney's Fees; and said Account, Application and Petition having come on regularly to be heard on the 4th day of October, 2019, at 10:00 a.m.; proof having been made to the satisfaction of the Court that Notice of the settlement of said Account and of the hearing of said Application and Petition has been given in the manner and for the time required by law, as more fully appears by the Affidavit of Mailing on file herein, and the Court hereby finds:

1. That the Decedent, ERIC JOHN PASTORINO, died on the 4th day of June, 2016, in Washoe County, Nevada, that the Decedent, at the time of death, was a resident of Eureka County, Nevada, and that the Decedent left an estate in the County of Eureka, State of Nevada, consisting of real and personal property.

2. That due and legal notice of the hearing of said Account, Application and Petition has been given to all persons interested in said Estate.

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1 3. That said Account is in all respects true and correct; that said Executor has privately
2 made most payments and disbursements on behalf of the Estate of Eric John Pastorino, and has
3 been reimbursed only for such payments, as of the date of the filing of the First and Final Account,
4 the sum of \$4,169.99; the cash on hand as of June 4, 2016, the date of death of the Deceased, was
5 \$0.00; the cash on hand as of the 21st day of August, 2019, the date of filing the First and Final
6 Account was \$55,830.01.

7 4. That due and legal Notice to Creditors of said Estate has been given in the manner
8 and for the time required by law and that the time for filing of creditors' claims has expired.

9 5. That one (1) Creditor's Claim was filed against the Estate: Discover Bank in the sum
10 of \$4,169.99, and the Executor has approved of said Creditor's Claim as valid claims against the
11 Estate, and has paid and satisfied said creditor's claim.

12 6. That the above-entitled Court on the 13th day of February, 2017, by its Order, duly
13 approved Summary Administration of the Estate; appointed DAVID A. PASTORINO Executor of
14 the Estate of the Decedent; and, directed that Letters of Administration be issued to Petitioner.
15 DAVID A. PASTORINO thereupon became, and now is, and ever since said date has been the
16 duly appointed, qualified and acting Executor of said Estate.

17 7. That pursuant to NRS 144.010(1) and 144.020(4), the above-entitled Court on the
18 27th day of February, 2017, by its Order, released DAVID A. PASTORINO, Executor of the
19 Estate, from the requirement of filing an Inventory, Appraisal and Record of Value in this
20 matter.

21 8. The names, addresses and relationship if the heirs, next of kin, devisees, and legatees
22 of the Decedent, as far as known to Petitioner, are as follows:

<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
David A. Pastorino	Adult	Brother	P.O. Box 525 Eureka, NV 89316

25 9. That the whole of the property of the Estate was the sole and separate property of
26 the Decedent.
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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 that certain property situate, lying and being in the County of Eureka, State of Nevada,
5 and more particularly described as follows:

- 6 A. Parcel 1 as shown on that certain Parcel Map for Eric J. Pastorino
7 filed in the office of the County Recorder of Eureka County, State
8 of Nevada, on September 7, 2006, as File No. 206145.
APN: 001-012-34

9 Assessor Taxable Value: \$16,160.00
10 Amount Owed: \$0.00

11 ESTATE VALUE: \$16,160.00

- 12 B. Parcel 2 as shown on that certain Parcel Map for Eric J. Pastorino
13 filed in the office of the County Recorder of Eureka County, State
14 of Nevada, on September 7, 2006, as File No. 206145.
APN: 001-012-35

15 Assessor Taxable Value: \$16,160.00
16 Amount Owed: \$0.00

17 ESTATE VALUE: \$16,160.00

- 18 C. Parcel 3 as shown on that certain Parcel Map for Eric J. Pastorino
19 filed in the office of the County Recorder of Eureka County, State
20 of Nevada, on September 7, 2006, as File No. 206145.
APN: 001-012-36

21 Assessor Taxable Value: \$16,160.00
22 Amount Owed: \$0.00

23 ESTATE VALUE: \$16,160.00

- 24 D. Lots 6 through 11, plus portion of old railroad grade, in Block 39B,
25 Town of Eureka, County of Eureka, State of Nevada.
26 APN: 001-033-08

27 Assessor Taxable Value: \$122,894.00
28 Amount Owed: \$0.00

ESTATE VALUE: \$122,894.00

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

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

8 1. That due and legal notice of the hearing of said First and Final Account, Application
9 for Approval of Attorney's Fees, and Petition for Distribution has been given to all persons
10 interested in said Estate or entitled to notice thereof.

11 2. That Notice to Creditors has been given for the time and in the manner as provided
12 by law, the time for the presentation of creditors' claims has expired, and that all creditor claims
13 filed in the administration of the Estate have been approved and satisfied.

14 3. That the First and Final Account of the Administrators as rendered is hereby settled,
15 allowed, approved, ratified and confirmed as rendered.

16 4. That the Executor is ordered to pay, pursuant to the terms of the Petition for
17 Distribution, the following amounts for the purposes stated, which amounts are determined to be
18 reasonable, to-wit:

19 A. To Marvel & Marvel, Ltd., the sum of \$770.90 to reimburse said law office
20 for costs advanced;

21 B. To Marvel & Marvel, Ltd., the sum of \$26,100.00 as attorneys' fees;

22 C. Necessary costs of closing the Estate.

23 5. That The Executor is ordered to timely file a Fiduciary Income Tax return for the
24 Decedent as may be required and pay any tax due thereon and all costs incurred in the preparation
25 of such return.

26 6. That the property of said Estate, as listed and described in Paragraph 10 of the
27 Findings of Fact herein, be distributed to DAVID A. PASTORINO, Successor Trustee of THE
28 ERIC J. PASTORINO FAMILY TRUST, dated July 26, 2011.

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 12th day of November 2019
Eureka County Clerk Recorder and Ex-Officio Clerk 6
By: [Signature], Deputy Clerk Recorder (Seal Affixed)