EUREKA COUNTY, NV
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Rec:$37.00
Total:$37.00
ROBERT WINES

2020-240346
03/25/2020 11:00 AM
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LISA HOEHNE, CLERK RECORDER

APN: 002-033-02

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: Dennis L. Frey

Address: 277 2nd Street

City, State, Zip: Crescent Valley, NV 89821

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:

_____

Robert J. Wines

ROBERT J. WINES — Attorney
Title

COPY

CASE NO. PR-19-12-468

Dept. I

No._____
FILED

MAR 25 2020

By: EUREKA COUNTY CLERK

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT

OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

IN THE MATTER OF THE ESTATE OF SHIRLEY MAE FREY, aka SHIRLEY M. FREY, aka SHIRLEY FREY,

Deceased.

ORDER TO SET ASIDE WITHOUT ADMINISTRATION

DENNIS L. FREY filed herein his Petition to Set Aside Without Administration of the Estate of SHIRLEY MAE FREY, aka SHIRLEY M. FREY, aka SHIRLEY FREY; Notice of Hearing has been given for the time and in the manner required by law; Notice of Hearing was given to State of Nevada, Medicaid Estate Recovery by certified mail on January 9, 2020; this is the time and place scheduled for a hearing on this matter; no one having appeared or objected, and the Court being fully informed, hereby finds as follows:

1. That Petitioner is over the age of majority, and is a resident of Crescent Valley, Nevada. Petitioner has never been convicted of a felony. The Petitioner is the surviving spouse of the above named Deceased.

2. That the above-named Deceased died intestate on September 7, 2018, in Elko, Nevada, and at the time of her death, she was a resident of Crescent Valley, Nevada. A copy of her Certificate of Death is attached as an Exhibit to the separate document, encaptioned "Redacted Copy of Death Certificate" and is contained in the record of this matter.

3. That at the time of Decedent's death, she was married and was survived by her spouse and three (3) children. She was not survived by her parents. That the heirs-at-law of Decedent, and their respective relationships and addresses are as follows:

NAME AND ADDRESS	RELATIONSHIP
Dennis L. Frey 277 2nd Street Crescent Valley, NV 89821	Spouse
Dennis L. Frey, Jr. P.O. Box 472 Dayton, WY 82836	Son
Daniel Allen Frey 277 2nd Street Crescent Valley, NV 89821	Son
Clint Allen Frey 340 E. Montana St. Sheridan, WY 82801	Son

4. At the time of Decedent's death, she owned an undivided interest in and to the following described parcel of real property, located in the County of Eureka, State of Nevada; that the value of such real property does not exceed the sum of $100,000.00; that all of said Estate is within the jurisdiction of the above entitled Court and more particularly described as follows:

Lot 8, Block 13 CRESCENT VALLEY RANCH & FARMS UNIT #1

TOGETHER WITH any and all buildings and improvements situate thereon.

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

SUBJECT TO all conditions, covenants, easements, exceptions, reservations, restrictions, and rights of way of record.

APN: 002-033-02

5. That Decedent's value in the described real property does not exceed the sum of $100,000.00. A copy of the Eureka County Assessor's Secured Property Detail Screen for the above parcel is attached to the Petition as Exhibit "1"; pursuant thereto, the total appraised value of this parcel of property is $5,003.00; based thereon, Decedent's one-half ownership interest has a value in this parcel of $2,499.00.

6. Decedent was survived by her husband, Petitioner herein. Pursuant to NRS 146.070 (1) "if a person dies leaving an estate the gross value of which, after deduction any encumbrances, does not exceed $100,000, and there is a surviving spouse or minor child or minor children of the

COPY

decedent, the estate must not be administered upon, but the whole estate, after directing such payments as may be deemed just, must be, by an order for that purpose, assigned and set apart for the support of the surviving spouse or minor child or minor children, or for the support of the minor child or minor children, if there is no surviving spouse."

7. Decedent was survived by her spouse, Petitioner herein. As the surviving spouse, DENNIS L. FREY is entitled to succeed to any and all interest held by Decedent, SHIRLEY MAE FREY, aka SHIRLEY M. FREY, aka SHIRLEY FREY in and to the real property described herein.

8. That pursuant to the foregoing, the person entitled to the property hereinabove described is DENNIS L. FREY, as his sole and separate property.

9. That Petitioner is informed and believes that, at the time of Decedent's death, there were no liens or encumbrances secured by the property; ad valorem taxes for the year have been paid by Petitioner.

10. Petitioner has resolved any and all unpaid bills and obligations of which he has become aware. There are no known unpaid obligations. All funeral expenses have been paid in full.

11. That this Petition is made pursuant to NRS 146.070.

12. That Petitioner has engaged ROBERT J. WINES, PROF. CORP., to petition this Court, and will incur court costs and legal fees; this Court should order Petitioner to pay to ROBERT J. WINES, PROF. CORP., a reasonable fee in the amount of $825.00, together with all costs incurred.

13. That the real property described hereinabove should be set aside pursuant hereto to DENNIS L. FREY, as his sole and separate property.

14. That any and all other items of real or personal property hereinafter discovered with a value less than $100,000.00, and belonging to the above named decedent should be set aside pursuant hereto without further order of this Court to DENNIS L. FREY, as his sole and separate property.

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

1. That the Court finds that the total value of this Estate does not exceed the sum of $100,000.00;

2. That the property hereinabove described shall not be administered upon, but is hereby assigned and set apart to DENNIS L. FREY, as his sole and separate property;

3. That other any assets or property hereinafter discovered, belonging to the decedent, and within the jurisdiction of this Court, with a value less than $100,000.00, are hereby set apart to DENNIS L. FREY, as his sole and separate property; and

4. That the Petitioner shall pay a reasonable attorney fee, in the amount of $825.00, payable to ROBERT J. WINES, PROF. CORP., together with all costs incurred.

DATED this 9th day of ~~February~~ MARCH 2020, 2020.

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 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 25 day of March 20 20
Eureka County Clerk Recorder and Ex-Officio Court Clerk
By:_____, Deputy Clerk Recorder (Seal Affixed)