

APN: 003-301-19; 005-070-09

**Recording Requested By:**

**Name:** Robert J. Wines, Prof. Corp.

**Address:** 687 6<sup>th</sup> Street, Suite 1

**City, State, Zip:** Elko, NV 89801

**Send Tax Statement To:**

**Name:** Karla J. Hollifield

**Address:** 7589 N. Grand Ridge Lane

**City, State, Zip:** Eagle, ID 83616

EUREKA COUNTY, NV	<b>2021-244724</b>
Rec:\$37.00	
\$37.00 Pgs=6	<b>05/04/2021 09:21 AM</b>
ROBERT J. WINES, PROF. CORP.	
LISA HOEHNE, CLERK RECORDER	

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

1 CASE NO. PR-2103-005

NO. \_\_\_\_\_ FILED \_\_\_\_\_

2 Dept. I

APR 02 2021

By J. Janni  
Eureka County Clerk

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5  
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 ESTATE OF  
10 WILLIAM R. HOLLIFIELD,  
11 Deceased.

**ORDER TO SET ASIDE  
WITHOUT ADMINISTRATION**

12 KARLA HOLLIFIELD filed herein her Petition to Set Aside Without Administration of the  
13 Estate of WILLIAM R. HOLLIFIELD, deceased; Notice of Hearing has been given for the time and  
14 in the manner required by law; Notice of Hearing was given to State of Nevada, Medicaid Estate  
15 Recovery by certified mail on March 17, 2021; this is the time and place scheduled for a hearing on  
16 this matter; no one having appeared or objected, and the Court being fully informed, hereby finds  
17 as follows:

18 1. That Petitioner is over the age of majority, and is a resident of Eagle, Idaho.  
19 Petitioner has never been convicted of a felony. The Petitioner is the surviving spouse of the above  
20 named Deceased.

21 2. That the above-named Deceased died testate on March 13, 2020, in Eagle, Idaho, and  
22 at the time of his death, he was a resident of Eagle, Idaho. A copy of his Certificate of Death,  
23 attached as an Exhibit to the separate document, encaptioned "Redacted Copy of Death Certificate",  
24 is contained in the record of this matter. A copy of his Last Will and Testament is attached to the  
25 Petition as Exhibit "1" and is contained in the file.

26 3. That at the time of Decedent's death, he was married and was survived by his spouse,  
27 one (1) child and three (3) stepchildren. He was not survived by his parents. That the heirs-at-law  
28 and devisees of Decedent, and their respective relationships and addresses are as follows:

<u>1</u>	<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>
2	Karla J. Hollifield 7589 N. Grand Ridge Lane	Spouse
3	Eagle, ID 83616	
4	Paige Suzanne Deitzel 4317 N. Tiverton Place	Daughter
5	Boise, ID 83702	
6	Jason Kitley 7589 N. Grand Ridge Lane	Stepson
7	Eagle, ID 83616	
8	Stefani Kitley 4105 Creek Mesa Dr.	Stepdaughter
9	Twin Falls, ID 83301	
10	Meghan Kitley 2663 N. Blue Springs Ave.	Stepdaughter
11	Meridian, ID 83646	

12           4.       At the time of Decedent's death, he owned the following described parcels of real  
13 property, located in the County of Eureka, State of Nevada; that the value of such real property does  
14 not exceed the sum of \$100,000.00; that all of said Estate is within the jurisdiction of the above  
15 entitled Court and more particularly described as follows:

16           **PARCEL 1:**

17           Lots 15, 16 & 17, El Cortez Rancho Unit # 1, Section 9, Township 29 North, Range  
18           48 East, MDB&M.

19           **PARCEL 2:**

20           North ½ of SE¼NE¼ (Lot 8), Section 35, Township 31 North, Range 48 East,  
21           MDB&M, containing 19.47 acres, more or less.

22           TOGETHER WITH any and all buildings and improvements situate thereon.

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

26           SUBJECT TO all exceptions, reservations, restrictions, restrictive covenants,  
27           assessments, easements, rights and rights of way of record.

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27    ///  
28    ///

1           5.       That Decedent's value in the described real property does not exceed the sum of  
2 \$100,000.00. A copy of the Eureka County Assessor's Secured Property Detail Screen for Parcel  
3 1 (APN: 003-301-19) is attached to the Petition as Exhibit "2"; a copy of the Eureka County  
4 Assessor's Secured Property Detail Screen for Parcel 2 (APN: 005-070-09) is attached to the Petition  
5 as Exhibit "3". Pursuant thereto, Parcel 1 has a value of \$3,000.00 and Parcel 2 has a value of  
6 \$2,600.00. Based thereon, the total appraised value of Decedent's property in the State of Nevada  
7 has a total value of \$5,600.00, and is less than the \$100,000.00 value to allow this property to be set  
8 aside.

9           6.       Decedent was survived by his wife, Petitioner herein. Pursuant to NRS 146.070 (1)  
10 "if a person dies leaving an estate the gross value of which, after deduction any encumbrances, does  
11 not exceed \$100,000.00, and there is a surviving spouse or minor child or minor children of the  
12 decedent, the estate must not be administered upon, but the whole estate, after directing such  
13 payments as may be deemed just, must be, by an order for that purpose, assigned and set apart for  
14 the support of the surviving spouse or minor child or minor children, or for the support of the minor  
15 child or minor children, if there is no surviving spouse." Decedent's Last Will and Testament, at  
16 Paragraph FIFTH, devises Decedent's entire estate to his surviving spouse, KARLA J.  
17 HOLLIFIELD.

18           7.       Decedent was survived by his spouse, Petitioner herein. As the surviving spouse,  
19 KARLA J. HOLLIFIELD is entitled to succeed to any and all interest held by Decedent, WILLIAM  
20 R. HOLLIFIELD in and to the real property described herein.

21           8.       That pursuant to the foregoing, the person entitled to the property hereinabove  
22 described is KARLA J. HOLLIFIELD, as her sole and separate property.

23           9.       That Petitioner is informed and believes that, at the time of Decedent's death, there  
24 were no liens or encumbrances secured by the property.

25           10.      Petitioner has resolved any and all unpaid bills and obligations of which she has  
26 become aware. There are no known unpaid obligations. All known burial expenses for the Decedent  
27 have been paid in full.

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

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

5           13.     That the real property described hereinabove should be set aside pursuant hereto to  
6 KARLA J. HOLLIFIELD, as her sole and separate property.

7           14.     That any and all other items of real or personal property hereinafter discovered with  
8 a value less than \$100,000.00, and belonging to the above named Decedent should be set aside  
9 pursuant hereto without further order of this Court to KARLA J. HOLLIFIELD, as her sole and  
10 separate property.

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

12           1.     That the Court finds that the total value of this Estate does not exceed the sum of  
13 \$100,000.00;

14           ~~2.     That the property hereinabove described shall not be administered upon, but is hereby~~  
15 assigned and set apart to KARLA J. HOLLIFIELD, as her sole and separate property;

16           3.     That any assets or property hereinafter discovered, belonging to the Decedent, and  
17 within the jurisdiction of this Court, with a value less than \$100,000.00, are hereby set apart to  
18 KARLA J. HOLLIFIELD, as her sole and separate property; and

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

21           DATED this 2<sup>nd</sup> day of April, 2021.

15/ Gary D. Fairman  
DISTRICT JUDGE

**AFFIRMATION STATEMENT**

25           The undersigned hereby affirms that the foregoing pleading, including any exhibits, DOES  
26 NOT contain the Social Security Number of any person or persons.

Robert J. Wines  
ROBERT J. WINES

COPY

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

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 my hand and seal of the Seventh Judicial District Court  
This 20th day of April 2021

Eureka County Clerk Recorder and Ex-Officio Court Clerk  
By: [Signature] Deputy Clerk Recorder (Seal Affixed)