

APN: 001-104-06

**Recording requested by
and return to:**

Goicoechea, Di Grazia,
Coyle & Stanton, Ltd.
530 Idaho Street
Elko, NV 89801

Affirmation: This document does
not contain the social security
number of any person. NRS 239B.030.

Send tax statements to:

Patricia Paul
240 2nd Street
Crescent Valley, NV 89821

EUREKA COUNTY, NV
LAND-OSE
Rec:\$37.00
Total:\$37.00

2021-245200
06/16/2021 11:38 AM

Pgs=9

GOICOECHEA,DIGRAZIA,COYLE&
STANTON



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LISA HOEHNE, CLERK RECORDER

ORDER TO SET ASIDE ESTATE WITHOUT ADMINISTRATION
PURSUANT TO NRS 146.070

FILED

2021 MAY 24 PM 3:17

ELKO CO DISTRICT COURT

CLERK _____ DEPUTY *JB*

1 CASE NO. DC PR 21-36

2 DEPARTMENT NO. 1

3 Affirmation: This document does
4 not contain the social security
5 number of any person.

6 **IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF**
7 **NEVADA IN AND FOR THE COUNTY OF ELKO**

8 IN THE MATTER OF THE ESTATE OF:)

9 **CARRIE DANN,**)

10 Deceased.)

**ORDER TO SET ASIDE ESTATE
WITHOUT ADMINISTRATION
PURSUANT TO NRS 146.070**

11 **TO THE ABOVE CAPTIONED COURT:**

12 PATRICIA DIANE PAUL, aka PATRICIA DIANE KNIGHT-PAUL, by and
13 through her attorney NANCY PORTER, Esq., having filed a PETITION TO SET ASIDE
14 ESTATE WITHOUT ADMINISTRATION PURSUANT TO NRS 146.070 ("Petition")
15 and came on for hearing on May 24, 2021 at 8:30 a.m., and on proof having been
16 made to the satisfaction of the Court, the Court now finds as follows:

17
18 1. That CARRIE DANN died on the 1st day of January, 2021, in the City of
19 Elko, County of Elko, State of Nevada, and was at the time of her death over the age of
20 majority and a resident of Elko County, State of Nevada. A copy of a certified copy of the
21 Certificate of Death is attached to the Petition as Exhibit "A," and incorporated therein by
22 reference.

23
24 2. That the Decedent died testate. A copy of the Decedent's Last Will and
25 Testament is attached to the Petition as Exhibit "B," and incorporated therein by reference.
26 Decedent's Will states, "I give, devise, and bequeath to my daughter, Patricia Diane Paul,
27 Anna Marie Paul, Keith Paul, and Aaron Race Paul, the children of Patricia Paul, in equal

1 shares, all of my real and personal property, except for the specific bequests described
2 below, after payment of all my just debts, expenses, taxes, administration and specific
3 bequests."

4 **Specific Bequests**

5 I hereby bequest my dishes and house ware, including all antiques, to
6 Patricia Diane Knight-Paul.

7 I further bequest all the willow baskets presently in Lori Doescher's
8 possession to her.

9 I further bequest a 20% (i.e., one-half of my 40% interest) interest in §33
10 T29N, R49E (The Dann Ranch) to Karen Hernandez, my grand-niece.
11 Reference Bk. 61, Pg.374 Official Eureka County Records (11/02/77).

12 I further bequest a 16% (i.e., one-half of my 32% interest) interest in §34
13 T29N, R49E (The Dann Ranch) to Karen Hernandez, my grand-niece.
14 Reference Bk. 61, Pg. 374 Official Eureka County Records (11/02/77).

15 Decedent sold her interest in the Dann Ranch prior to her death.

16
17 3. That the Petitioner, PATRICIA PAUL, is the Daughter of the Decedent.
18 Petitioner is over the age of majority and a resident of the State of Nevada. Decedent
19 nominated Lor Doescher as executrix of her estate; she nominated Chris Doescher to serve
20 as executor in the event that Lori Doescher did not so serve. Both nominated executors
21 nominate Petitioner Patricia Paul to act as Petitioner herein.

22
23 4. That the names, ages, relationships and addresses of the heirs, devisees and
24 legatees of said Decedent, so far as known to Petitioner, are:
25

26

<u>Name</u>	<u>Age</u>	<u>Relationship</u>	<u>Address</u>
KAREN ANN	Adult	Named	1730 Celtic Way,

27

HERNANDEZ		Beneficiary/ Grandniece	Elko, NV 89801
LORI DOESCHER	Adult	Named Beneficiary /Niece	1080 C St. Elko, NV 89801
PATRICIA PAUL aka PATRICIA DIANE KNIGHT-PAUL	Adult	Named Beneficiary/D aughter	240 2 nd Street Crescent Valley, NV 89821
ANNA MARIE PAUL	Adult	Named Beneficiary/G randchild	Blarney Stone Dr. #3, BigLake, AK 99652
KEITH PAUL aka KIETH PAUL	Adult	Named Beneficiary/G randchild	240 2 nd Street Crescent Valley, NV 89821
AARON RACE PAUL aka ARRIN PAUL	Adult	Named Beneficiary/G randchild	20310 Hwy. 160 Unit B436 Durango, CO 81303

5. That at the time of Decedent's death, Decedent was a resident of Elko, Elko County, Nevada. That Decedent died leaving an estate in the County of Eureka, State of Nevada.

6. That the following is a specific description of the Decedent's real property located in the County of Eureka, State of Nevada, and an estimate of the value thereof:

APN: 001-104-06

All of Lots 11 and 12 in Block 5 of the Town of Eureka, County of Eureka, State of Nevada as is described and laid down upon the official plat of the said Townsite of Eureka, approved by the U.S. General land Office on November 19, 1937, and on file in the office of the Eureka County Recorder, Eureka, Nevada.

TOGETHER WITH all buildings and improvements situate or located thereon.

TOGETHER WITH all Bureau of Land Management range improvements, range rights and grazing preferences associated or connected therewith.

TOGETHER WITH all mineral and mineral rights of every kind and nature.

EXCEPTING THEREFROM such mineral and mineral rights reserved of record by prior documents of record.

1 TOGETHER WITH the tenements, hereditament and appurtenances thereunto
2 belonging or appertaining, and the reversion and reversions, remainder and
remainders, rents, issues and profits thereof.

3 SUBJECT TO covenants, conditions, restrictions, reservations, reservations, rights
4 and rights of way of record.

5 Being real property having a current total value (Assessor's taxable valuation) of
6 approximately \$9,326.00.

7 That the interest of this Estate in the above-described property is approximately
8 27.5% undivided interest. The Decedent's share of the value thereof is approximately
9 \$2,564.65.

10 APN: 005-490-30

11 a) 640 acres

12 TOWNSHIP 29 NORTH, RANGE 49 EAST, M.D.B. & M.

13 Section 33: All

14 TOGETHER WITH all water, water rights, water applications, and water permits
15 or privileges connected therewith, belonging, appurtenant or incident to the lands
16 above described, or used in connection with all or any part of the said above
17 described premises, or used or usable in connection therewith, and all dams,
18 reservoirs and ditches, or other works for storage or carrying of water now owned,
and all applications now pending in the office of the State engineer of the State of
Nevada, for any and all waters to be used upon any part or portion of the above-
described lands or used in connection therewith.

19 TOGETHER WITH all buildings and improvements situate or located thereon.

20 TOGETHER WITH all Bureau of Land Management range improvements, range
21 rights and grazing preferences associated or connected therewith.

22 TOGETHER WITH all mineral and mineral rights of every kind and nature.

23 EXCEPTING THEREFROM such mineral and mineral rights reserved of record
24 by prior documents of record.

25 TOGETHER WITH the tenements, hereditament and appurtenances thereunto
26 belonging or appertaining, and the reversion and reversions, remainder and
27 remainders, rents, issues and profits thereof.

1 SUBJECT TO covenants, conditions, restrictions, reservations, reservations, rights
2 and rights of way of record.

3 This real property has a current total value (Assessor's taxable valuation) of
4 approximately \$9,326 (Exhibit C).

5 The interest of this Estate in the above-described property is approximately 27.5%
6 undivided interest. Decedent's share of the value thereof is approximately \$2,564.65.

7 7. The following is a specific description of real property owned by Decedent
8 located in the County of Elko, State of Nevada, and an estimate of the value thereof:

9 **APN: 002-221-004**

10 Lot 4 of block A of Allen Mobile Home Subdivision as shown on the plat filed in
11 the Office of the County Recorder of Elko County, Nevada, File No. 248353;
12 including therewith the following described land contiguous to and lying along the
13 Southerly boundary of the aforesaid Lot 4 as follows: A parcel of land located in
14 the SW1/4 NW1/4 of Section 26, Township 33 North, Range 52 East, MDB&M,
15 Commencing at the West ¼ corner of said Section 26, thence North 71°24'33''
16 East, a distance of 684.57 feet to Corner No. 1, the true point of beginning, said
17 point being the most Southerly corner of Lot 4 of Block A of the Allen Mobile
18 Home Subdivision as shown on the official plat of said subdivision filed in the
19 office of the Elko County Recorder as File No. 248353;

20 Thence North 62°08'00'' East, along the Southeasterly line of said Lot 4, a distance
21 of 90.00 feet to Corner No. 2, said point along being the most Easterly corner of
22 said Lot 4;

23 Thence South 27°52'00'' East, a distance of 112.00 feet to Corner No. 3;

24 Thence South 62°08'00'' West, a distance of 90.00 feet to Corner No. 4;
25
26
27

1 Thence North 27°52'00" West, a distance of 112.00 feet to Corner No. 1, the point
2 of the beginning.

3 TOGETHER WITH all buildings and improvements situate thereon.

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

7 .SUBJECT TO all condition, covenants, easements, exceptions, reservations,
8 restrictions, and rights of way to record.

9 The real property has a current total value (Assessor's taxable valuation) of
10 \$18,239.00. (Exhibit D)

11 8. Decedent died possessed of a 2011 Toyota Corolla, VIN
12 JTDBU4EE7BJ104197 with an estimated Kelley Blue Book value of \$3,739 (Exhibit E).
13 Additionally, Decedent died possessed of various household belonging including
14 houseware, antiques and willow baskets, all of nominal value.

15 9. Decedent died possessed of a 1984 CHM horse-trailer, VIN
16 CH718GNDLF400084 with an estimated value of \$5,000.00.

17 10. Decedent's property had no liens or encumbrances.

18 Decedent died with \$899.13 in cash. Medicaid recognizes that attorney fees have
19 priority over a Medicaid claim.

20 11. The value of Decedent's interest in the property at the time of death of
21 Decedent, after deducting any encumbrances did not exceed \$100,000.00.

22 12. All debts, charges and expenses of the last illness and funeral expenses of
23 the Decedent have been paid as far as known to Petitioner, except for accruing taxes and
24 fees associated with the real property.
25
26
27

1 13. Petitioner request that her dishes and houseware, including all antiques, be
2 set aside to Patricia Diane Knight-Paul and that her willow baskets in Lori Doescher's
3 possession be set aside to her.

4 14. That the Petitioner requests that the rest, residue and remainder of the
5 property in the name of Decedent, CARRIE DANN be set aside to Petitioner, PATRICIA
6 DIANE KNIGHT-PAUL.

7 **IT IS THEREFORE ORDERED AND DECREED THAT:**

8
9 1. That Notice of this Petition be given by the Clerk of this Court in the manner
10 and for the time required by NRS 146.070.

11 2. That the Court finds that the gross value of the Estate, after deducting any
12 encumbrances, does not exceed the sum of \$100,000.00, and that her property be set aside
13 as follows:

- 14 a. Dishes and houseware, including all antiques, to Patricia Diane Knight-Paul;
15 b. All willow baskets in Lori Doescher's possession to Lori Doescher; and
16 c. The rest, residue and remainder of the Decedent's property beset aside to Patricia
17 Diane Knight-Paul, Anna Marie Paul, Keith Paul aka Kieth Paul, and Aaron Paul aka Arrin
18 Paul, in equal shares.

19
20 3. In accordance with NRS 146.070, the interest of the Decedent, CLIFFORD
21 DANN, in and to any and all other property, real and personal, of any name, nature, kind,
22 character, or description not herein above described, or which may be incorrectly described
23 herein, which is within the jurisdiction of the Court, and does not cause the gross value of
24 the Estate, less encumbrances, to exceed \$100,000.00, be assigned and set aside to
25 Petitioner, Patricia Diane Knight-Paul, Anna Marie Paul, Keith Paul aka Kieth Paul, and
26 Aaron Paul aka Arrin Paul, in equal shares.
27

4. This court approve her attorney fees in the amount of \$1,000.00 as well as the costs incurred.

5. Such further and necessary order as may be deemed just and proper.

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111

DATED May 24, 2021

DISTRICT JUDGE

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

7 day of June 2021

Kristine Jakeman

CLERK