APN: 005-520-15

RECORDING REQUESTED BY AND RETURN TO:

McConnell Law Office 950 Idaho Street Elko, Nevada 89801

EUREKA COUNTY, NV

2021-247673

Rec:\$37.00

\$37.00

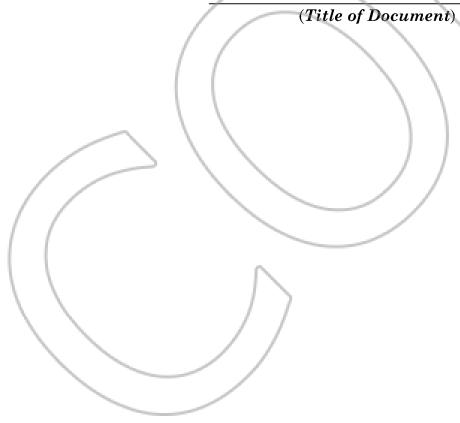
Pgs=17

12/22/2021 01:34 PM

MCCONNELL LAW OFFICE

LISA HOEHNE, CLERK RECORDER

AFFIDAVIT OF DEATH & APPOINTMENT OF SUCCESSOR CUSTODIAN



APN(s): 005-520-15

When recorded return to:

McConnell Law Office 950 Idaho Street Elko, Nevada 89801

Mail Tax Statements to:

Benjamin L. Owen 872 Toro Street San Luis Obispo, California 93401

The undersigned hereby affirms that this document submitted for recording does not contain the personal information of any person or persons per N.R.S 239B.030.

<u>AFFIDAVIT OF DEATH</u> & APPOINTMENT OF SUCCESSOR CUSTODIAN (N.R.S. 167.080)

WENDY DISCH ("Affiant"), being first duly sworn, according to law, deposes and says:

- 1. That Affiant is the wife of **FRANK OWEN**, deceased, who passed away on June 12, 2021, in the County of San Luis Obispo, State of California, hereinafter referred to as "Decedent." That a certified copy of the death certificate of said Decedent is attached hereto as Exhibit "B" and made a part hereof.
- 2. That said Decedent was deemed the custodian, to hold that certain real property located in the County of Eureka, State of Nevada, as further described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property") as custodial property for the benefit of **BENJAMIN L. OWEN (aka BENJAMIN LIGNON OWEN)**, until **BENJAMIN L. OWEN** reached the age of majority, by that certain Order, recorded as Document No. 0213801, on September 16, 2009, in the Office of the County Recorder of Eureka County, State of Nevada, which is attached hereto as Exhibit "C".
- 3. That upon Decedent's death, Affiant was the surviving spouse of Decedent and surviving parent of **BENJAMIN L. OWEN**.
- 4. That on the 3rd day of December, 2015, **BENJAMIN L. OWEN** attained the age of majority.

5. That Affiant makes this affidavit for recording and for the purpose of terminating all custodial right, title, and interest of Decedent relating to the Property, and to become the current and acting custodian of the Property for the benefit of BENJAMIN L. OWEN , for the sole purpose of conveying the Property to BENJAMIN L. OWEN .
DATED this 5th day of August, 2021.
AFFIANT: WENDY DISCH
STATE OF) SS
COUNTY OF)
On WENDY DISCH, personally known to me, or proven to me on the basis of satisfactory
evidence, to be the person whose name is subscribed to the above instrument who acknowledged that they executed said instrument.
see attached
NOTARY PUBLIC

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California	Cara I dia Obiana
County of	San Luis Obispo

On August 5, 2021

before me, Shannon Bio, Notary Public

(insert name and title of the officer)

personally appeared Wendy Disch

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)



CONSENT TO APPOINTMENT OF SUCCESSOR CUSTODIAN

BENJAMIN L. OWEN (aka BENJAMIN LIGNON OWEN) ("Affiant"), being first duly sworn, according to law, deposes and says: says:

- 1. That Affiant is the son of FRANK OWEN ("Decedent"), and WENDY DISCH.
- 2. That said Decedent was deemed the custodian, to hold that certain real property located in the County of Eureka, State of Nevada, as further described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property") as custodial property for the benefit of **BENJAMIN L. OWEN**, until **BENJAMIN L. OWEN** attained the age of majority, by that certain Order, recorded as Document No. 0213801, on September 16, 2009, in the Office of the County Recorder of Eureka County, State of Nevada, which is attached hereto as Exhibit "C".
- 3. That upon Decedent's death, **WENDY DISCH** was the surviving spouse of Decedent and surviving parent of Affiant.
 - 4. That on the 3rd day of December, 2015, Affiant attained the age of majority.
- 5. That Affiant consents to the appointment of **WENDY DISCH** as successor custodian to Decedent, to hold the Property as custodial property for the benefit of Affiant.
- 5. That Affiant makes this affidavit for recording and for the purpose of terminating all custodial right, title, and interest of Decedent relating to the Property, and to consent to the appointment of **WENDY DISCH** as the current and acting custodian of the Property for the benefit of Affiant, for the sole purpose of conveying the Property to Affiant.

DATED this day of August, 2021.

AFFIANT:

BENJAMIN L. OWEN

On BENJAMIN L. OW satisfactory evidence, to be the p	· •
COUNTY OF)
STATE OF))SS

On **BENJAMIN L. OWEN**, personally known to me, or proven to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the above instrument who acknowledged that they executed said instrument.



CIVIL CODE § 1189

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

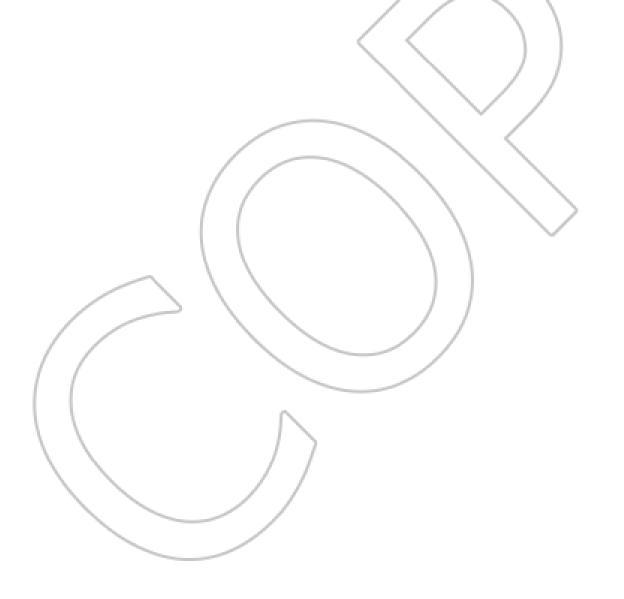
		<u> </u>	50,50,50,50,50,50,50	*****************	<u> </u>
				entity of the individual who cy, or validity of that docume	
State of California County of San Luis O	oispo)	<		
	before me,	– , K∨le	e Thomas M cHa	rgue, Notary Public	/
On <u>10/18/2021</u> Date	before the,			me and Title of the Office	er ,
personally appeared Be	aniamin I. Owen				
personally appeared <u>be</u>	enjanimi L. Owen		Name(s) of Sign	er(s)	
subscribed to the within	n instrument and ack capacity(jes), and that	nowled by his h	ged to me tha t ner/their signatur	he person(s) whose nar he/she/they executed the re(s) on the instrument the instrument.	he same ir
		of		IALTY OF PERJURY und ifornia that the foregoing .	
Notary F Sacra Commi	OMAS MCHARGUE Jublic - California Jumento County Sision # 2251694 Expires Jul 29, 2022	The same of the sa	nature	d and official seal. Signature of Notary Pub	lic
Place Notar	y Seal Above	- OPTIO			<u>-</u>
	s optional, completing dulent reattachment o	this inf	ormation can de	eter alteration of the docunded document.	ument or
Description of Attache	d Document				
Title or Type of Docume	ent:				
Document Date:				Number of Pages:	
Signer(s) Other Than N	amed Above:				
Capacity(ies) Claimed	by Signer(s)				
Signer's Name:			Signer's Name		
☐ Corporate Officer — 1				Officer - Title(s):	
☐ Partner — ☐ Limited			☐ Partner — ☐		
794.	orney in Fact		☐ Individual	☐ Attorney in Fact	
☐ Trustee ☐ Gu	ardian or Conservato	10	☐ Trustee ☐ Other:	☐ Guardian or Cons	servator
Signer Is Representing:	_			esenting:	
			orginal to respi		

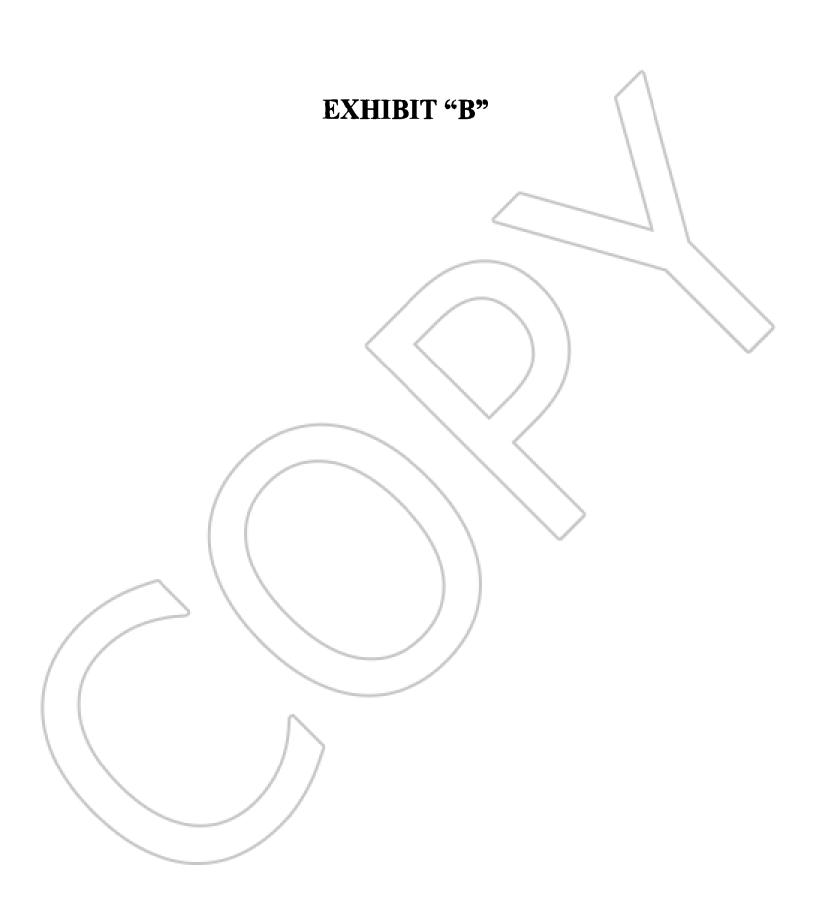
EXHIBIT "A"

All that certain real property situate, lying and being in the County of Eureka, State of Nevada, and more particularly described as follows:

APN: 005-520-15

 $\rm E1/2~NE1/4~NE1/4$ of Section 19, Township 29 North, Range 49 East M.D.B.&M.





COUNTY OF SAN LUIS OBISPO SAN LUIS OBISPO, CALIFORNIA

	3052021155266 CERTIFICATE OF DEATH 3202140001118 STATE OF CASTORIAN STATE FILE NUMBER USE BLACK FOR QUILLY OF DEADERS OF ALTERATIONS LOCAL PRESISTRATION NUMBER	
	1. NAME OF DECEDENT-FIRST (Given) 2. MIDDLE 3. LAST (Family)	1000 P
NAL DATA	FRANKLIN CALEB OWEN AKA ALSO KNOWN AS - reduce rull AKA FIRST, MIDDLE, LAST) 4. DATE OF BIRTH meniddiccyy 02/04/1953 68 F. UNDER 24 NOURS Months Days Hourt Mondes Months Days Hourt Mondes Months Days Hourt Mondes Months Months Mondes Months Months Mondes Months Mondes Months Months Mondes Months Months Mondes Months	6. SEX
IT'S PERSO	9. BIRTH STATE/FOREIGN COUNTRY. 10. SOCIAL SECURITY NUMBER: 11, EVER IN U.S. ARMED FORCES? 12 MARIFAL STATUS/SROP in time of bears 17. DATE OF DEATH mon/dolcopy MS VES. X No.: Link: MARRIED 0.6/12/2021 0.42. 13. EDUCATION - Report Learn No. Sec. Control of the control of th	24 Hour
DECEDEN	PROFESSIONAL VES X NO CAUGASIAN 17 USUAL OCCUPATION - Type of work for most of Mrs. DO NOT USE RETIRED 18. KIND OF BUSINESS OR INDUSTRY (e.g., procey store, road construction, smollowness against, etc.) 19. YEARS IN.	OCCUPAT
_ /	MECHANICAL ENGINEERING PROFESSOR EDUCATION 43 20 DECEDENTS RESIDENCE (Street and number, or location)	,
SIDENCE	872 TORO ST 22. COUNTYPROVINCE 23. ZIP CODE 28. YEARS IN COUNTY 28. STATEFOREIGN COUNTRY	
E B	SAN LUIS OBISPO SAN LUIS OBISPO 93401 22 CA 26. INFORMANT'S NAME, RELATIONSHIP WENDY OWEN DISCH, SPOUSE 872 TORO ST, SAN LUIS OBISPO, CA 93401	
NO	28. NAME OF SURVIVING SPOUSE/SRIDP-FIRST. 29 MIDDLE 30, LAST (BIRTH NAME)	
FORMAT	WENDY OWEN DISCH 31 NAME OF FATHER/PARENT-FIRST 22 MIGDLE 33 LAST 34 BIFTH	STATE
RENT IN	BENJAMIN LIGON OWEN MS.	STATE
A.	MARY JANE COLLINS MS 39. DISPOSITION DATE IMMODISORY 49. PLACE OF FINAL DISPOSITION RES: WENDY OWEN DISCH 872 TORO ST, SAN LUIS OBISPO, CA 93401	
REGISTR	11, TYPE OF DISPOSITION(S) 42, SIGNATURE OF EMBALMER. 43, LICENSE NUM	MBER
LOCAL	44. MARE OF FLAMERAL RESTABLISHMENT 45. LICENSE NUMBER 45. SIGNATURE OF LOCAL REGISTRAR 57. DATE omnobility NEPTUNE-SOCIETY FD1309 PENNY-BORENSTEIN, MD 06/16/200	
E	101. PLACE OF DEATH 102. IF HOSPITAL SPECIFY ONE 103. IF OTHER THAN HOSPITAL SPECIFY ONE RESIDENCE 102. IF HOSPITAL SPECIFY ONE 103. IF OTHER THAN HOSPITAL SPECIFY ONE INCREMENT IN THE PROPERTY OF INCREMENT IN THE PROPERTY OF INCREMENT IN THE PROPERTY ONE INCREMENT IN THE PROPERTY OF INCREMENT IN THE PR	Oti
DEA	SAN LUIS OBISPO 872:TORO ST: 105 ACLITY ADDRESS OR LOCATION WHERE FOUND (Street and number or location) SAN LUIS OBISPO	
	107. CAUSE OF DEATH Enter the chain of exems — deseases, truines, or corrections or that directly canned death. DO NOT shaw internal all exemps such as cardise arrest, recoverable values of the second of the second death. DO NOT exemplate seasons such as cardise arrest, recoverable values of the second of th	TO CORONI
	condition resulting 3.7MUS 21R-0775 109. Bit/PSY PERFO	- paramy
	Secure table, test	
TO TO	CALISE (Glospe 97 YES PER PER	
ì	112 OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH SUT NOT RESULTING INTHE TUNDERLYING CAUSE GIVEN IN 107.	L N
21.2	113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 1127 (if yes, list type of operation and date.) 113. If FEMALE PRESIDENT 115. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 1127 (if yes, list type of operation and date.)	IN LAST YE
ALION	114. LOSRITAY THAT TO THE BEST OF MAY KNOWLEDGE DEATH OCCULRRED AT THE KNOW, DUE, AND FLAGS STOTED FROM THE CASES STATED. DOCUMENT ADMINISTRATED FROM THE CASES STATED. 116. LICENSE NUMBER 117. DATE mm.	n/dd/ocyy
CERTIFIC	Decoder Abended Since Decoder Lass Sein Afric PREVIN REINNETH PARZ TCH WILD. GEO C55876 U6/15/20 U1/11/2021	121
	191. LOSKTIPY THAT IN INVOCAMINA DEATH COCUMED AT THE HOUR, DATE, AND PLACE STREED FROM THE CAUSES STATED. YANNER OF DEATH Natural Accident Homicide Suicide Parties determined determined WHAT.	JR (24 Ho
	123. PLACE OF INJURY (e.g., home, contribucion site, whoshed inten, etc.)	
	1724. DESCRIBE HOW INJURY OCCURRED (Events which resulted in equity)	334
111	1	- 1707
	And the state of t	-
		US TRAC

CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA COUNTY OF SAN LUIS OBISPO

This is a true and exact reproduction of the document officially registered and placed on file in the office of the SAN LUIS OBISPO COUNTY HEALTH DEPARTMENT.



epreditioned in the production of the production





DOC # 0213801

09/16/2009

01:51 PM

Official Record

Recording requested By JAMES M COPENHAVER PC

Eureka County - NV Mike Rebaleati - Recorder

Fee \$19.00 Page 1 of 6
RPTT: Recorded By FES

Book- 0492 Page- 0038

0213801

APN: 005-520-15

Send tax statements to:

Frank Owen P.O. Box 1424

San Luis Obispo, CA 93406-1424

Recording requested by and return to:

James M. Copenhaver, P.C. 950 Idaho Street Elko, NV 89801

ORDER AND DECREE SETTING ASIDE ESTATE WITHOUT ADMINISTRATION PURSUANT TO NRS 146.070

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.

KATTE HOWE MCCONNECT

4

5

6

7

8

9

10

11

12

DEPT NO. 01

CASE NO. PR-PR-09-06-175

SEP 11 2009

FILED

Eureka County Clerk

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 BENJAMIN LIGON OWEN aka BEN OWEN,

Deceased.

ORDER AND DECREE SETTING ASIDE ESTATE WITHOUT ADMINISTRATION PURSUANT TO NRS 146.070

13

14

15

16

17

18

The verified Petition to Set Aside Estate Without Administration pursuant to NRS 146.070 filed by **FRANK OWEN** on June 8, 2009, having come on regularly to be heard on the 17th day of July, 2009 at the hour of 10:00 o'clock, a.m., the Court finds that:

- 19
- 1. Notice of the hearing was given for the period of time and in the manner required by law.

21 22

20

2. The allegations of the Petition are true and correct.

23

3. **BENJAMIN LIGON OWEN aka BEN OWEN** died in the City Of Columbus, County of Lowndes, State of Mississippi, on the 10th day of September, 2003, and was at the time of his death over the age of majority and a resident of the City of Columbus, County of Lowndes, State of Mississippi.

26 27

28

25

4. The Petitioner is the surviving son of the decedent,

BENJAMIN LIGON OWEN aka BEN OWEN, over the age of majority and a resident of the State of California.

- 5. That the Decedent died testate.
- 6. The names, ages, relationships and addresses of the heirs, devisees and legatees of Decedent, **BENJAMIN LIGON OWEN aka BEN OWEN**, so far as known to Petitioner, are:

7	<u>NAME</u>	AGE RELATIONSHIP ADDRESS
8	FRANK OWEN	Adult Son 872 Toro Street
9		San Louis Obispo, CA 93401
10	LYDIA BOESCH	Adult Daughter 35 McMichael Dr. Pinehurst, NC 28374
11	MARSHA OWEN	Adult Daughter 429 Duplin Road
12		Raleigh, NC 27607
13	DAVID OWEN	Adult Son 420 3 rd Street South Columbus, MS 39701

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

APN: 005-520-15

E ½ NE 1/4 NE 1/4 of Section 19, Township 29 North, Range 49 East M.D.B.&M.

TOGETHER WITH all buildings and improvements thereon.

TOGETHER WITH all and singular the tenements, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof, or of any part thereof.

SUBJECT TO all taxes and assessments, reservations, exceptions, easements, rights of way, limitations, covenants, conditions, restrictions, terms, liens, charges and licenses affecting the property of record.

Being real property having a total value of less than \$100,000.00 according to the records

of the Eureka County Assessor, Elko County, Nevada.

- 8. The interest of the Decedent in the above-described property was the sole and separate property of the Decedent, BENJAMIN LIGON OWEN aka BEN OWEN.
- 9. There are no liens or encumbrance on the real property other than accruing taxes.
- 10. All debts, charges and expenses of the last illness and funeral expenses of the Decedent have been paid.
- 11. JAMES M. COPENHAVER, P.C., Attorney at law, Elko, Nevada, has performed services for said Estate acting as and for attorney for the Petitioners, for which said attorney is entitled to a reasonable fee; said attorney and the Petitioner have agreed that a reasonable fee for said services would be in the sum of \$880.00 plus costs incurred.
- 12. The property interest of the Decedent, BENJAMIN LIGON OWEN aka BEN OWEN, in the above reference real property should be set aside to FRANK OWEN, custodian of BENJAMIN LIGON OWEN, a minor, as his sole and separate property pursuant to Uniform Act on Transfers to Minors.
- BEN OWEN, in and to any and all other property, real or personal, of any name, nature, kind, character or description not herein above described, or which may be incorrectly described herein, which is within the jurisdiction of the Court, and does not cause the gross value of the estate less encumbrances to exceed \$100,000.00, should be assigned and set aside to FRANK OWEN, custodian of BENJAMIN LIGON OWEN, a minor, as his sole and separate

property pursuant to Uniform Act on Transfers to Minors.

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

- 1. Due and legal notice of the hearing of said Petition to Set Aside Estate Without Administration pursuant to NRS 146.070 has been given to or waived by all persons interested in said Estate or who are entitled to notice thereof for the time and in the manner required by law.
- 2. The gross value of the estate after deducting any encumbrances does not exceed the sum of \$100,000.00, and all right, title and interest of the Deceased, BENJAMIN LIGON OWEN aka BEN OWEN, in and to the following real property was his sole and separate property.
- 3. In accordance with NRS 146.070, all right, title and interest of **BENJAMIN LIGON OWEN aka BEN OWEN**, Decedent, in the following property is set aside to **FRANK OWEN**, as custodian for **BENJAMIN LIGON OWEN**, a minor, as his sole and separate property pursuant to Uniform Act on Transfers to Minors as codified in NRS Chapter 167.

APN: 005-520-15

E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 29 North, Range 49 East M.D.B.&M.

TOGETHER WITH all buildings and improvements thereon.

TOGETHER WITH all and singular the tenements, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof, or of any part thereof.

SUBJECT TO all taxes and assessments, reservations, exceptions, easements, rights of way, limitations, covenants, conditions, restrictions, terms, liens, charges and

licenses affecting the property of record.

4. In accordance with NRS. 146.070, the interests of BENJAMIN LIGON OWEN aka BEN OWEN, Decedent, in and to any and all other property, real or personal, of any name, nature, kind, character or description not herein above described, or which may be incorrectly described herein, which is within the jurisdiction of the Court, and does not cause the gross value of the estate less encumbrances to exceed \$100,000.00, is assigned and set aside to FRANK OWEN, as custodian for BENJAMIN LIGON OWEN, a minor, as his sole and separate property pursuant to Uniform Act on Transfers to Minors as codified in NRS Chapter 167.

- 5. The attorney's fees in the sum of \$880.00 to **JAMES**M. COPENHAVER, P.C. and costs advanced are hereby approved and ordered paid.
- 6. A certified copy of this Order shall be recorded in the office of the County Recorder of Eureka County, Nevada.

 DATED this 4 day of August, 2009.

S Steve L Dobrescu

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

SS

I, the Undersigned COUNTY CLERK and Ex-Official CLERK of the STVENTH SUDMAL DUSTRIOT COUNTY for a top (DEPT > that the foregoing is a fell line and come a copy of the original content by other and that I have parefully compared the same with the original.

DISTRICT COURT, UNS 10 Say of September 9

County Clerk and LV-Outco Court Clerk

Security County County

Decision County

County

Decision County

Dec

492 09/16/2009 43 Page. 6 of 6