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EUREKA COUNTY, NV  
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KATHERINE J. BOWLING, CLERK RECORDER

*Order Setting Aside Estate Without Administration*  
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fees applies)

ALLISON MacKENZIE, LTD.  
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Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

Case No. PR2501-222

Dept. No. II

The undersigned affirms that this document DOES NOT contain the social security number, driver's license number, identification card number, complete financial account number with accompanying password and/or pin.

NO. FILED

FEB 21 2025

By Eureka County Clerk  
BW

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:

JAMES RICHARD PIERATT,  
DECEASED.

**ORDER SETTING ASIDE ESTATE WITHOUT ADMINISTRATION**

THIS MATTER comes before the Court pursuant to that Petition to Set Aside Estate Without Administration filed herein by Petitioner, PERNECIA JOHNSON, Eureka County Public Administrator, by and through her attorneys, ALLISON MacKENZIE, LTD. Proper Notice having been provided and no person objecting thereto, the Court hereby finds and orders as follows:

I.

**BANKRUPTCY**

That Petitioner, as the person filing this pleading, is not a debtor in bankruptcy.

II.

**DECEDENT**

That JAMES RICHARD PIERATT, (hereinafter referred to as "decedent"), died on April 15, 2021, being at the time of his death a resident of and domiciled in Navajo, Arizona, leaving at the time of his death, certain property located within the State of Nevada. That an original death certificate is attached to the filed Petition to Set Aside Without Administration.

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Eureka County Clerk

1 That although the decedent was a resident of Arizona at the time of his death,  
2 jurisdiction before this Court is appropriate under NRS 136.010, which defines where an estate may be  
3 administered. Under subsection (1) of NRS 136.010, the estate of a decedent may be settled by the  
4 district court of any county in this State in which any part of the estate is located. At the time of  
5 decedent's death, he owned a one-third (1/3) interest in a piece of real property located in Eureka  
6 County, Nevada, more particularly described below.

7 III.

8 LAST WILL AND TESTAMENT

9 That Petitioner has been unable to locate a Last Will and Testament, and therefore  
10 believes the decedent died intestate.

11 IV.

12 HEIRS AND NEXT-OF-KIN

13 That so far known to Petitioner, the names, relationships, ages, and addresses of the  
14 heirs and next-of-kin of decedent within two degrees of consanguinity are as follows:

15 <u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>ADDRESS</u>
16 PAUL PIERATT Jr.	Sibling	Adult	1500 Avenue G Ely, NV 89301
18 MARY E. PIERATT JENSEN	Sibling	Adult	19611 Monarch Ridge Dr. Canyon County, CA 91351

20 V.

21 ESTATE ASSETS

22 That Petitioner is informed and believes that the estate subject to probate administration  
23 in the State of Nevada consists solely of a one-third (1/3) interest in a piece of real property situated on  
24 5<sup>th</sup> Street, Crescent Valley, Nevada, APN: 002-039-28, more particularly described as follows:

25 Lot 23, Block 23, Crescent Valley Ranch & Farms Unite No. 1.

26 (This legal description was previously recorded on May 28, 2020 as  
27 Document Number 2020-240510, Official Records of Eureka County,  
28 Nevada)

1 Specifically, Petitioner is informed and believes that title to said property is also owned  
2 by decedent's brother PAUL PIERATT Jr. Petitioner was attempting to sale the above referenced  
3 property to provide for decedent's brother's guardianship estate and was informed that decedent's  
4 estate must first be probated. The above referenced property was under contracted to be sold for  
5 Eighteen Thousand Dollars (\$18,000.00) thus making decedent's one-third (1/3) interest worth well  
6 under the One Hundred Thousand Dollar threshold set forth by NRS chapter 146.

7 Accordingly, Petitioner is informed and believes that the value of decedent's estate does  
8 not exceed One Hundred Thousand and No/100 Dollars (\$100,000.00) such that a Set Aside  
9 Proceeding is appropriate under NRS Chapter 146.

10 VI.

11 DEBTS OF DECEDENT

12 That so far as known to Petitioner, all debts and creditors of the decedent have been or  
13 will be paid.

14 VII.

15 DISTRIBUTION OF ESTATE

16 That pursuant to NRS 134.060, if the decedent leaves no issue, surviving spouse or  
17 parent, then the estate goes in equal shares to the brothers and sisters of the decedent and to the lawful  
18 issue of any deceased brother or sister by right of representation. Here, decedent did not have any  
19 issue, was not survived by a spouse or parent, and was survived by his siblings PAUL PIERATT Jr.  
20 and MARY E. PIERATT JENSEN. Accordingly, decedent's estate shall be distributed to PAUL  
21 PIERATT Jr. and MARY E. PIERATT JENSEN in equal shares.

22 VIII.

23 WELFARE BENEFITS

24 That so far as known to Petitioner, the Decedent was not a recipient of benefits from the  
25 Department of Health and Human Services of the State of Nevada.

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27 ///

28 ///

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IX.

ATTORNEYS' FEES AND COSTS

That it was necessary for the Petitioner to retain the services of an attorney to Petition the Court to set aside decedent's estate. That Allison MacKenzie, LTD. has expended 6.1 hours of time relating to this matter at Four Hundred Dollars (\$400.00) per hour equating to Two Thousand Four Hundred Forty and No/100 Dollars (\$2,440.00), plus costs. Petitioner requests that this Court approve Allison MacKenzie, LTD's fees to be paid by the Eureka County Public Administrator.

NOW THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. That decedent's estate subject to administration in the State of Nevada is less than One Hundred Thousand and No/100 Dollars (\$100,000.00) and is eligible to be set aside under NRS 146.070.

2. That decedent's estate, now known or hereinafter discovered, consisting of that one-third (1/3) interest in a piece of real property situated on 5<sup>th</sup> Street, Crescent Valley, Nevada, APN: 002-039-28, more particularly described as follows:

Lot 23, Block 23, Crescent Valley Ranch & Farms Unite No, 1.

(This legal description was previously recorded on May 28,2020 as Document Number 2020-240510, Official Records of Eureka County, Nevada)

be set aside to decedent's sibling, namely, PAUL PIERATT Jr.;

3. That ALLISON MacKENZIE, LTD.'s fees and cost are reasonable and approved to be paid by the public administrator; and

4. That this Order shall be recorded and used as the document transferring title to the above-referenced property.

**IT IS SO ORDERED.**

DATED this 21<sup>st</sup> day of February, 2025.

  
DISTRICT JUDGE

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 hand and seal of the Seventh Judicial District Court  
This 24<sup>th</sup> day of FEBRUARY 2025

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