

**APN # 001-065-11, 001-084-03, 001-136-08,
001-185-07 & 001-186-09**

Recording Requested By:

Name: JOEL W. LOCKE, ESQ.

Address: 402 North Division Street

City/State/Zip: Carson City, NV 89702

EUREKA COUNTY, NV

2025-254503

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ALLISON MACKENZIE LTD

KATHERINE J. BOWLING, CLERK RECORDER

**Order Granting Waiver of First and Final Account; and Granting Petition for Fees and Final Distribution
(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.
402 North Division Street, P.O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com

NO. _____ FILED

DEPT. NO. PR 2304-108

APR 24 2025

The undersigned affirms that this document DOES contain the social security number, driver's license number, identification card number, complete financial account number with accompanying password and/or pin.

By Eureka County Clerk
FA/M

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

ORDER GRANTING WAIVER OF FIRST
AND FINAL ACCOUNT; AND
GRANTING PETITION FOR FEES
AND FINAL DISTRIBUTION

JOHN WAYNE BROWN,

Deceased.

THIS MATTER comes before the Court pursuant to a Petition for Waiver of First and Final Account, Petition for Fees and for Final Distribution filed herein by Petitioner JACOB W. BROWN, by and through his attorneys, ALLISON MacKENZIE, LTD., the duly appointed Administrator of the Estate of JOHN WAYNE BROWN, deceased. Good cause appearing, it is hereby ORDERED, as follows:

I.

DECEDENT

That JOHN WAYNE BROWN (hereinafter referred to as "decedent"), died on November 7, 2022, being at the time of his death a resident of and domiciled in Eureka County, State of Nevada, leaving at the time of his death certain property located in the State of Nevada.

II.

LAST WILL AND TESTAMENT

That decedent left no valid Last Will and Testament.

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1 III.

2 APPOINTMENT OF ADMINISTRATOR AND ISSUANCE OF LETTERS OF ADMINISTRATION

3 That on June 16, 2023, this Court entered an Order Granting Petition for
4 Administration, For Appointment of Administrator, For Issuance Letters of Administration and For
5 Full Authority to Administer Estate, appointing Petitioner, JACOB W. BROWN, as Administrator of
6 the decedent's estate. That Letters of Administration were issued to him and filed herein on July 20,
7 2023, and ever since such time, Petitioner has been and remains the duly acting Administrator of
8 decedent's estate.

9 IV.

10 NOTICE TO CREDITORS

11 That Notice to Creditors of the decedent's estate to present their claims within the time
12 and in the manner provided for by law was filed herein on August 8, 2023, and duly published in the
13 Ely Times, such publications occurring on May 26, June 2, and June 9, 2023. The creditor's claim
14 period expired on or about August 24, 2023, and no such claims have been or were filed against the
15 estate.

16 That the Notice to Creditors was sent to the STATE OF NEVADA, NEVADA
17 ESTATE RECOVERY, via certified mail on May 8, 2024. That proof of such service was filed herein
18 on May 14, 2023. That the STATE OF NEVADA, NEVADA ESTATE RECOVERY did not file a
19 claim against the estate.

20 V.

21 FEDERAL INCOME TAX

22 That the total value of the assets of the estate on the date of death of decedent was such
23 that it was not necessary for Petitioner to file with the IRS a Federal Estate Tax Return, Form 706.
24 That Petitioner has or will cause decedent's final Federal Income Tax Return to be filed with the IRS
25 and any taxes due and owing have been or will be provided for.

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27 ///

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VI.

INVENTORY, APPRAISEMENT AND RECORD OF VALUE

That Petitioner filed an Inventory, Appraisement and Record of Value ("Inventory") in this matter on December 21, 2023. As set forth in the Inventory, the gross value of the whole of the decedent's estate in the State of Nevada was FIVE HUNDRED TWENTY-FOUR THOUSAND FIFTY and NO/100 DOLLARS (\$524,050.00). As indicated therein, decedent's estate consists of real property, several vehicles a retirement account and a bank account. That the real property commonly known as 610 W. McCoy Street, Eureka, Nevada has been sold pursuant to the Notice of Proposed Action previously filed with this Court.

VII.

HEIRS AND NEXT-OF-KIN

That so far as known to Petitioner, the names, relationships, ages and addresses of the heirs and next-of-kin of Decedent, are as follows:

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>ADDRESS</u>
JACOB W. BROWN	Son	Adult	2040 East Lake Blvd. Washoe Valley, NV 89704

VIII.

DISTRIBUTION OF ESTATE

That the estate is in a position to be distributed. That pursuant to NRS 134.090, if a decedent dies and leaves no surviving spouse, but issue, the entire estate goes to the surviving issue namely, JACOB W. BROWN. Accordingly, decedent's estate shall be distributed outright to JACOB W. BROWN.

IX.

WAIVER OF FIRST AND FINAL ACCOUNT

That Petitioner, as the sole beneficiary of decedent's estate, hereby waives all right to a formal accounting pursuant to NRS 150.075.

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X.

FEES AND COSTS OF ADMINISTRATOR

That pursuant to NRS 150.020, Petitioner has rendered services as Administrator of the estate and is entitled to compensation therefor. That in addition to compensation for services rendered, Petitioner is entitled to any and all costs advanced on behalf of the estate. That despite the same, Petitioner waives any and all such fee and/or reimbursement.

XI.

ATTORNEYS' FEES AND COSTS

That Petitioner engaged the services of ALLISON MacKENZIE, LTD., as attorneys for Petitioner and said firm has rendered such legal services to the Administrator and is entitled to reasonable compensation therefor. That pursuant to NRS 150.060, an attorney may be compensated based upon (a) the applicable hourly rate of the attorney; (b) the value of the estate accounted for by the Administrators; (c) an agreement, or (d) any other method preapproved by the Court.

That pursuant to the statutory formula enumerated in NRS 150.060(4), ALLISON MacKENZIE, LTD., is entitled to attorneys' fees in the amount of THIRTEEN THOUSAND FOUR HUNDRED EIGHTY-ONE and NO/100 DOLLARS (\$13,481.00) plus costs advanced. Said amount is determined as follows:

4% of the first \$100,000.00	=	\$4,000.00
3% of the next \$100,000.00	=	\$3,000.00
2% of the next \$324,050.00	=	\$6,481.00

Total Statutory Fee	=	\$13,481.00
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That in lieu of receiving attorneys' fees based upon the general statutory rate delineated above, ALLISON MacKENZIE, LTD., has elected to receive compensation based on its normal hourly rate against the actual amount of time expended on this matter. That to date, ALLISON MacKENZIE, LTD., has expended 13.9 hours related to this matter. That amongst said hours, Petitioner was billed at the hourly rate of \$400 per hour for time spent by Partners. That such rates are reduced from the customary rates in this firm and in the Northern Nevada area. In reaching this amount, ALLISON MacKENZIE, LTD., was required to expend time in preparing court

1 documents and in attending to those matters customary in administering an estate. That as such,
2 ALLISON MacKENZIE, LTD., requests reasonable compensation for services rendered in the
3 amount of FIVE THOUSAND ONE HUNDRED SIXTY-SIX and NO/100 DOLLARS (\$5,166.00)
4 in lieu of the statutory mandate set forth above.

5 That in addition to services rendered, ALLISON MacKENZIE, LTD., has advanced
6 the amount of ONE THOUSAND SIX and 01/100 DOLLARS (\$1,006.01) as and for filing fees and
7 in publishing the required notices under Nevada law.

8 That upon the foregoing, ALLISON MacKENZIE, LTD., requests total compensation
9 in the amount of SIX THOUSAND ONE HUNDRED SEVENTY-TWO and 01/100 DOLLARS
10 (\$6,172.01) comprised of fees in the amount of \$5,166.00 and costs advanced in the amount of
11 \$1,006.01.

12 NOW THEREFORE, IT IS HEREBY ORDERED:

13 1. That the waiver of Petitioner's First and Final Account under NRS 150.075 upon
14 consent of the beneficiaries of the estate is hereby approved and confirmed.

15 2. That the Administrator is authorized and directed to pay ALLISON MacKENZIE,
16 LTD., the total amount of \$6,172.01 as and for reasonable fees and costs associated with this
17 administration.

18 3. After provision is made for the foregoing, the Administrator is authorized and directed
19 to distribute decedent's estate, now known or hereinafter discovered, to the intestate beneficiary of the
20 estate JACOB W. BROWN, as follows:

21 The following vehicles:

- 22 a) 1969 CHEVROLET C10 1/2 TON VIN CE149Z891429
- 23 b) 1990 CHEVROLET V2500 SUBURBAN VIN 1GNGV26K7LF150040
- 24 c) 1976 GMC K2500 3/4 TON VIN TKL246F722020
- 25 d) Ford F350 VIN 1FDKF38GXXKA77262
- 26 e) 1956 Ford F800 VIN F80S6H71808
- 27 f) 1955 Ford F900 VIN F90K5H80706
- 28 g) 1979 Mercedes VIN 11612012009980

h) 2000 H&H Flatbed VIN 4J6UF1820YB003802

the following pieces of real property:

a) 100 N MAIN STREET, EUREKA, NEVADA, more particularly described as:
100 N. Main Street, known as the Alpine Lodge, Parcel No.: 001-065-11, Block
37, Lots 1, 2, 3, 4, and 5.

(This legal description was previously recorded in the Official Records of
Eureka County on May 23, 2013 as Document Number 0224268)

APN: 001-065-11

b) NOB HILL AVENUE, EUREKA, NEVADA, more particularly described as:
East 100 feet of Lot 3 and all of Lot 4, Block 82.

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

APN 001-084-03

(This legal description was previously recorded in the Official Records of
Eureka County on October 10, 2010 as Document Number 0215573)

c) 291 S SPRING STREET, EUREKA, NEVADA, more particularly described as:
291 S. SPRING STREET, EUREKA, NEVADA

PARCEL # 001-136-08

Eureka Town Block 7 Lot 18 & Portion 19 (N11.8')

APN: 001-136-08

(This legal description was previously recorded in the Official Records of
Eureka County on September 21, 2011 as Document Number 0218621; and on
June 27, 2001 as Document No. 176685)

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1 d) 430 GOODWIN STREET, EUREKA, NEVADA, more particularly described
2 as:

3 Lots 4, 5, and 6, in Block 122, as shown on the Official Map or Plat of the
4 TOWNSITE OF EUREKA, on file in the Office of the County Recorder,
5 Eureka County, Nevada.

6 APN 001-185-07

7 EXCEPTING THEREFROM all uranium, thorium, or any other material which
8 is or may be determined to be peculiarly essential to the production of
9 fissionable materials, whether or not of commercial value lying in or under said
10 land as reserved by the United States of America, recorded December 19, 1947,
11 in Book 23 at Page 226 of Deed Records, Eureka County, Nevada.

12 Plus PARCEL D Map File #170339

13 (This legal description was previously recorded in the Official Records of
14 Eureka County on October, 10, 2010 as Document Number 0215573)

15 e) 390 WELL ST., EUREKA, NEVADA, more particularly described as:

16 Parcel Number 2 as shown on that certain Parcel Map for Todd and Tina
17 Hubbard filed in the office of the County Recorder of Eureka County, State of
18 Nevada, on September 1, 1987, as File No. 111007, being a portion of Lot 1,
19 Block 123, Eureka Townsite.

20 APN 001-186-09

21 EXCEPTING THEREFROM all uranium, thorium, or any other material which
22 is or may be determined to be particularly essential to the production of
23 fissionable materials, whether or not of commercial value lying in or under said
24 land as reserved by the United States of America, recorded December 19, 1947,
25 in Book 23 at page 226 of Deed Records, Eureka County, Nevada.

26 (This legal description was previously recorded in the Official Records of
27 Eureka County on October 10, 2010 as Document Number 0215573)
28

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

1 and Decedent's Nevada Bank and Trust bank account and Decedent's Mt Wheeler Power retirement
2 account.

3 DATED on this 24 day of April, 2025.

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5 
6 DISTRICT COURT JUDGE
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8 4859-8531-8845, v. 1
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State of Nevada Declaration of Value

1. **Assessor Parcel Number(s):**

- a) 001-065-11
- b) 001-084-03
- c) 001-136-08
- d) 001-185-07
- e) 001-186-09

2. **Type of Property:**

- a) ☐ Vacant Land
- b) ☒ Single Family Res.
- c) ☐ Condo/Townhouse
- d) ☐ 2-4 Plex
- e) ☐ Apartment Bldg.
- f) ☐ Comm'l/Ind'l
- g) ☐ Agricultural
- h) ☐ Mobile Home
- i) ☒ Other

FOR RECORDER'S OPTIONAL USE ONLY

Document/Instrument #:

Book:

Page:

Date of Recording:

Notes:

3. **Total Value/Sales Price of Property:**

Deed in Lieu of Foreclosure Only (value of property) \$ _____

Transfer Tax Value: \$ _____

Real Property Transfer Tax Due: \$ -0-

4. **If Exemption Claimed:**

- a. Transfer Tax Exemption, per NRS 375.090, Section: 3
- b. Explain Reason for Exemption: A transfer of title recognizing the true status of ownership of the real property pursuant to Court Order. Re: Order Granting Waiver of First and Final Account; and Granting Petition for Fees and Final Distribution

5. **Partial Interest:** Percentage being transferred: 100%

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature _____

Capacity Agent

Signature _____

Capacity Agent

**SELLER (GRANTOR) INFORMATION
REQUIRED**

**BUYER (GRANTEE) INFORMATION
REQUIRED**

Print Name John Wayne Brown, Deceased

Print Name Jacob W. Brown

Address: 291 S. Spring Street

Address: 2040 East Lake Blvd.

City: Eureka

City: Washoe Valley

State: NV Zip: 89316

State: NV Zip: 89704

COMPANY/PERSON REQUESTING RECORDING

(REQUIRED IF NOT THE SELLER OR BUYER)

Print Name: Allison MacKenzie, Ltd. Escrow #

Address: 402 North Division Street, P.O. Box 646

City: Carson City State: NV Zip: 89702