

1 Case No. P19650

2 Dept. No. I

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BARBARA REED
CLERK

BY D. DALRY

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6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF DOUGLAS

8 IN THE MATTER OF THE ESTATE OF
9
10 EVERT PAUL ENGSTROM, also
11 known as E. PAUL ENGSTROM,
Deceased.

ORDER GRANTING
PETITION TO ADMIT FOREIGN
WILL TO ANCILLARY PROBATE
AND TO SET ASIDE ESTATE
WITHOUT ADMINISTRATION
AND IN ACCORDANCE WITH
LAST WILL AND TESTAMENT

12 The petition of PATRICIA ANN MASKELL to admit foreign
13 will to ancillary probate and to set aside the estate of EVERT
14 PAUL ENGSTROM, deceased, without administration, pursuant to NRS
15 136.260(4) and NRS 140.070, having come on regularly for hearing
16 before the Court on the 5th day of July, 1988, the Court, Having
17 examined the verified petition and considered the matter, finds,
18 orders and determines as follows:

19 I.

20 That EVERT PAUL ENGSTROM, also known as E. PAUL
21 ENGSTROM, hereinafter called decedent, died on or about the 24th
22 day of December, 1987, in Los Angeles County, State of
23 California, and was at the date of his death a resident of the
24 same county and state, and left no personal property located or
25 situate in this state, but did leave a time share interest in
26 real property situated in Douglas County, Nevada.

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1 II.

2 That said decedent left a Will dated and duly executed
3 on the 17th day of January, 1986; that said Will has been hereto-
4 fore duly approved, allowed, and admitted to probate on the 26th
5 day of January, 1988, in the Superior Court of California, County
6 of Los Angeles, and should be admitted to ancillary probate in
7 the State of Nevada in accordance with N.R.S. 136.260.

8 III.

9 That a duly authenticated copy of the Death Certifi-
10 cate, was attached to the petition herein as Exhibit "A" and
11 incorporated therein by reference, and that the Last Will and
12 Testament of decedent, California Petition for Probate of Will
13 and for Letters Testamentary, Order Admitting Will to Probate and
14 for Letters Testamentary, and Letters Testamentary, all
15 exemplified by the California Court Clerk were attached thereto
16 as Exhibit "B", and incorporated therein by reference.

17 IV.

18 That said Superior Court of California at the time of
19 admitting said Will to probate was a court of competent jurisdic-
20 tion and had jurisdiction of said matters.

21 V.

22 That the decedent died divorced, without a spouse, and
23 leaving one child, namely, PATRICIA ANN MASKELL, petitioner here-
24 in, who is named as personal representative in the decedent's
25 Last Will and Testament, to serve without bond and who is also
26 named as the sole heir, legatee, beneficiary and devisee.

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VI.

That the names, ages, relationships, and residences of the heirs, next of kin, legatees, and devisees of decedent are as follows:

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>ADDRESS</u>
PATRICIA ANN MASKELL	Daughter	Over 18	412 Stanford Road Burbank, CA 91504
BRANDON MICHAEL MASKELL	Grandson	2	412 Stanford Road Burbank, CA 91504
DIANE ENGSTROM	Divorced spouse	Over 18	16628 Greshan Street Sepulveda, CA 91343
WILLIAM J. SALICA	Attorney at Law	Over 18	16133 Ventura Blvd. #1000 Encino, CA 91436

VII.

That at the time of his death, decedent was possessed of an undivided interest in real property more particularly described as follows:

Parcel One:

An undivided 1/51st interest in and to that certain condominium described as follows:

(a) An undivided 1/20th interest, as tenants-in-common, in and to Lot 32 of Tahoe Village Unit No. 3, Fifth-Amended Map, recorded October 29, 1981, as Document No. 61612 as corrected by Certificate of Amendment recorded November 23, 1981, as Document No. 62661, all of Official Records Douglas County, State of Nevada. Except therefrom units 101 to 120 Amended Map and as corrected by said Certificate of Amendment.

(b) Unit No. 102 as shown and defined on said last mentioned map and as corrected by said Certificate of Amendment.

Parcel Two:

A non-exclusive right to use the real property known as Parcel "A" on the Official Map of Tahoe Village Unit No. 3, recorded January 22, 1973, as Document No.

1 63805, records of said county and state, for all those
2 purposes provided for in the Declaration of Covenants,
3 Conditions and Restrictions recorded January 11, 1973,
4 as Document No. 63681, in Book 173 Page 229 of
5 Official Records and in the modifications thereof
6 recorded September 28, 1973, as Document No. 69063
7 in Book 973 Page 812 of Official Records and recorded
8 July 2, 1976 as Document No. 1472 in Book 776 Page 87
9 of Official Records.

6 Parcel Three:

7 A non-exclusive easement for ingress and egress and
8 recreational purposes and for use and enjoyment and
9 incidental purposes over, on and through Lots 29, 39,
10 40 and 41 as shown on said Tahoe Village Unit No. 3,
11 Fifth Amended Map and as corrected by said Certificate
12 of Amendment.

10 Parcel Four:

11 (a) A non-exclusive easement for roadway and public
12 utility purposes as granted to Harich Tahoe Develop-
13 ments in deed recorded December 8, 1981, as Document
14 No. 63026, being over a portion of Parcel 26-A
15 (described in Document No. 01112 recorded June 17,
16 1976), in Section 30, Township 13 North, Range 19
17 East, M.D.M.,

15 and

16 (b) An easement for ingress, egress and public
17 utility purposes, 32' wide, the centerline of which is
18 shown and described on the 5th amended map of Tahoe
19 Village No. 3, recorded October 29, 1981 as Document
20 No. 61612 and amended by Certificate of Amendment
21 recorded November 23, 1981 as Document No. 62661,
22 Official Records, Douglas County, State of Nevada.

20 Parcel Five:

21 The exclusive right to use said UNIT and the non-
22 exclusive right to use the real property referred
23 to in subparagraph (a) of Parcel One and Parcels
24 Two, Three and Four above during ONE "use week"
25 within the summer "use season", as said quoted terms
26 are defined in the Declaration of Restrictions,
27 recorded January 11, 1982, as Document No. 63825 of
28 said Official Records.

26 The above described exclusive and non-exclusive
27 rights may be applied to any available unit in the
28 project, during said use week within said season.

VIII.

That the real property owned by decedent was at the time of his death the separate property of decedent.

IX.

That the Douglas County Assessor's assessed value on the subject property, in which decedent owned an undivided 1/51st interest for 1987-88 is \$32,011.00, which is thirty-five percent (35%) of the taxable value for assessments of \$91,460.00 making decedent's interest's taxable value \$1,793.33.

X.

That based upon the affidavit of Mark E. Amodei, Esq., attached to the petition herein as Exhibit "D" and incorporated therein by reference that a 1/51st share of a unit like the decedent's presently has a maximum value of \$20,000.00.

XI.

That there is a deed of trust of record against said real property which secures an obligation which has a current outstanding principal balance of approximately \$2,131.96. Said deed of trust secures an obligation owed to Harich Tahoe Developments, or its assignee, as shown in the preliminary title report attached to the petition herein as Exhibit "E" and incorporated therein by reference.

XII.

That the aggregate gross value of the decedent's estate at the time of his death did not exceed \$25,000.00, with estimated total value thereof being approximately \$18,000.00.

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XIII.

That all just debts and expenses of decedent, including those of the funeral and last illness, have been paid.

XIV.

That pursuant to the terms of the Exhibit "B" Will herein and Nev. Rev. Stat. 146.070(2), the real property in Douglas County should be transferred, assigned to, and set apart without administration to PATRICIA ANN MASKELL, as her sole and separate property.

NOW THEREFORE, the Court finds and orders:

(1) That the Last Will and Testament of EVERT PAUL ENGSTROM, attached to the petition herein as Exhibit "B" is admitted to ancillary probate in accordance with N.R.S. §136.260(4) and (5); and

(2) That the gross value of the estate herein does not exceed \$25,000.00,

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(3) That in accordance with N.R.S. § 146.070(2) and the Exhibit "B" Will, the above-described real property is hereby transferred and assigned to and set apart to the entitled claimant, PATRICIA ANN MASKELL, as her sole and separate property.

DATED this 5th day of July, 1988.

David R. Egan
DISTRICT JUDGE

ALLISON, MacKENZIE, HARTMAN,
SOUMBENIOTIS & RUSSELL, LTD.
402 North Division Street
P.O. Box 646
Carson City, NV 89702

By Joan C. Wright
JOAN C. WRIGHT, ESQ.
Attorneys for Petitioner

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

DATE: July 5, 1988
Brenda J. Poley Clerk of the 7th Judicial District Court
of the State of Nevada, in and for the County of Douglas.

By Brenda J. Poley Deputy

SEAL

COPY

RECORDED BY

Allison et al

OFFICIAL RECORDS OF
THE STATE OF NEVADA

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SUZANNE BEAUDREAU
RECORDER

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