

1 Case No. P-21512

'91 MAR -8 P2:37

2 Dept. No. I

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P. GREGORY

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

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IN THE MATTER OF THE ESTATE

AMENDED ORDER APPROVING
FIRST AND FINAL ACCOUNTING
AND PETITION FOR FEES AND
FOR FINAL DISTRIBUTION

10

OF

11

GARY LEONARD NUNES,
Deceased.

12

13

JOHN P. BRIEGLER and GUIDO CASADEI, Co-Executors of the
Estate of GARY LEONARD NUNES, deceased, having filed herewith
their First and Final Account and Petition for Fees and for Final
Distribution of said estate, and a hearing thereon having been had
in open Court, due notice of which was proved; and no person
objecting; and the Court having heard the evidence, read the
papers and considered the matter, and it appearing;

20

I

21

That GARY LEONARD NUNES, hereinafter called decedent,
died on or about January 15, 1989, being at the time of his death
a resident of Contra Costa County, State of California, leaving
certain real and personal property within the jurisdiction of this
Court.

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II

That decedent left a Will duly executed on December 13, 1975; that said Will has been heretofore duly approved, allowed, and admitted to probate on April 17, 1989.

III

That on July 11, 1989, this Court, pursuant to a Petition for Ancillary Probate of Will, Issuance of Letters Testamentary and Summary Administration, duly filed and lawfully noticed, granted administration herein, and appointed petitioners, JOHN P. BRIEGLEB and GUIDO CASADEI, Co-Executors of decedent's estate, upon their qualifying, and they qualified on the same day, and Letters Testamentary were issued, and ever since they have been, and now are, the duly qualified and acting Co-Executors of the estate of decedent.

IV

That on the 17th day of August, 1989, petitioners caused first publication of Notice to Creditors of decedent to be made, as required by NRS 145.050, and that an Affidavit of Publication of such notice has been filed on the 7th day of September, 1989, and that the time for presentation of claims against said estate expired on the 30th day of October, 1989, sixty (60) days after the first publication of said notice; and that no claims against the said estate have been filed.

V

That all income due the estate has been received and credited to the estate account.

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1 VI

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

5 <u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>RESIDENCE</u>
6 SUZANNE CAROLE NUNES	Wife	Over 18	192 La Questa Drive Danville, CA 94526
7 LEONARD PATRICK 8 NUNES II	Son	Over 18	192 La Questa Drive Danville, CA 94526
9 RANDI SU NUNES	Daughter	Over 18	192 La Questa Drive Danville, CA 94526
10 ALAN SAMUEL NUNES	Son	Under 18	192 La Questa Drive Danville, CA 94526
11 GERALDINE E. NUNES	Mother	Over 18	192 La Questa Drive Danville, CA 94526

12 VII

13 That petitioners filed herein an Inventory and
14 Appraisement on the 14th day of November, 1989, and that the
15 estate of the decedent consists of one-half (1/2) interest in the
16 following described real property, with the remaining one-half
17 (1/2) interest belonging to SUZANNE NUNES as her one-half (1/2)
18 community interest:

19 A. All that certain real property situate in the
20 County of Douglas, State of Nevada, described
21 as follows:

22 That portion of the South Half of the
23 Northeast Quarter of the Southeast Quarter of
24 the Northwest Quarter of Section 35, Township
25 14 North, Range 20 East, M.D.B. & M., more
26 particularly described as follows:

27 Beginning in the center line of Bessie Street
28 at the Southwest corner of said South Half;
thence along the South line of said South
Half, East 274.0 feet; thence parallel with
the West line of said South Half, North 165.0
feet; thence parallel with the South line of

1 said South Half, West 264.0 feet to the
2 center line of said Bessie Street; thence
3 along said street center line, South 165.0
4 feet to the point of beginning.

EXCEPTING THEREFROM that portion lying within
Bessie Street.

5 B. All that certain real property situate in the
6 County of Douglas, State of Nevada, described
as follows:

7 The Westerly 264 feet of the N 1/2 of the NE
8 1/4 of the SE 1/4 of the NW 1/4 of Section
9 35, and the N 1/2 of the Westerly 264 feet of
10 the S 1/2 of the NE 1/4 of the SE 1/4 of the
11 NW 1/4 of Section 35, Township 14 North,
12 Range 20 East, M.D.B. & M.

13 EXCEPTING THEREFROM: The Northerly and
14 Westerly 25 feet for roadway purposes as set
15 forth in document from Walter A. Downs, Sr.,
16 and wife, to the County of Douglas, dated
17 March 22, 1965, recorded June 9, 1966, in
18 Book 41 of Official Records, page 197 as
19 Document No. 32490.

20 VIII

21 That attached to petitioners' Petition as Exhibit "A",
22 and made a part thereof, is petitioners' First and Final Account
23 in the Estate of GARY LEONARD NUNES.

24 X

25 That Co-Executors, JOHN P. BRIEGLEB and GUIDO CASADEI,
26 as Co-Executors in this estate, are entitled to a statutory fee
27 for services rendered by them to the estate in the amount of
28 \$2,355.00.

XI

That the petitioners engaged the services of ALLISON,
MackENZIE, HARTMAN, SOUMBENIOTIS & RUSSELL, LTD., as attorneys for
the estate, and they have rendered such services and are entitled
to reasonable compensation therefor; and petitioners and said

1 attorneys have agreed that the sum of \$2,000.00 is a fair and
2 reasonable compensation for these services and hereby request this
3 Court to approve said amount.

4 XII

5 That in addition, said attorneys are entitled to be
6 reimbursed from the estate for costs and expenses advanced in the
7 amount of \$33.27.

8 XIII

9 That the estate is now ready and in a condition to be
10 closed and distributed.

11 XIV

12 That certain expenses normal and usual in connection
13 with the closing of such an estate may become due and payable in
14 an amount of approximately \$100.00.

15 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
16 DECREED as follows:

17 1. That the First and Final Account filed herein by
18 JOHN P. BRIEGLEB and GUIDO CASADEI, Co-Executors of the Estate of
19 GARY LEONARD NUNES, is hereby settled, allowed, approved and
20 confirmed;

21 2. That the Co-Executors are hereby authorized and
22 directed to pay expenses of closing the estate up to the amount
23 of \$100.00;

24 3. That the Co-Executors are hereby authorized and
25 directed to pay an attorneys' fee to ALLISON, MACKENZIE, HARTMAN,
26 SOUMBENIOTIS & RUSSELL, LTD., in the amount of \$2,000.00 as a
27 reasonable attorneys' fee for services rendered to the Co-
28 Executors during the probate of the above-entitled estate; and to

1 pay \$33.27 as reimbursement for costs and expenses advanced by
2 said attorneys;

3 4. That the Co-Executors' statutory fee of \$2,335.00
4 for services rendered to the estate is hereby authorized and
5 directed to be paid;

6 5. That the Co-Executors are hereby authorized to
7 distribute the estate of the decedent now known or hereafter
8 discovered pursuant to Paragraph SEVENTH of the Last Will and
9 Testament of GARY LEONARD NUNES, deceased, and shall convey the
10 decedent's one-half (1/2) interest in the following described
11 property to JOHN P. BRIEGLEB and GUIDO CASADEI, as Trustees:

12 A. All that certain real property situate in the
13 County of Douglas, State of Nevada, described
14 as follows:

14 That portion of the South Half of the
15 Northeast Quarter of the Southeast Quarter of
16 the Northwest Quarter of Section 35, Township
17 14 North, Range 20 East, M.D.B. & M., more
18 particularly described as follows:

17 Beginning in the center line of Bessie Street
18 at the Southwest corner of said South Half;
19 thence along the South line of said South
20 Half, East 274.0 feet; thence parallel with
21 the West line of said South Half, North 165.0
22 feet; thence parallel with the South line of
23 said South Half, West 264.0 feet to the
24 center line of said Bessie Street; thence
25 along said street center line, South 165.0
26 feet to the point of beginning.

23 EXCEPTING THEREFROM that portion lying within
24 Bessie Street.

24 B. All that certain real property situate in the
25 County of Douglas, State of Nevada, described
26 as follows:

26 The Westerly 264 feet of the N 1/2 of the NE
27 1/4 of the SE 1/4 of the NW 1/4 of Section
28 35, and the N 1/2 of the Westerly 264 feet of
the S 1/2 of the NE 1/4 of the SE 1/4 of the
NW 1/4 of Section 35, Township 14 North,
Range 20 East, M.D.B. & M.

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EXCEPTING THEREFROM: The Northerly and Westerly 25 feet for roadway purposes as set forth in document from Walter A. Downs, Sr., and wife, to the County of Douglas, dated March 22, 1965, recorded June 9, 1966, in Book 41 of Official Records, page 197 as Document No. 32490.

6. That the petitioners are hereby authorized and directed to do all things necessary and proper to effectuate such distributions; and upon the making of such distributions, to release and discharge petitioners from their trust herein.

DATED this 8th day of March, 1991.

David R. Lamb
DISTRICT JUDGE

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: 3/8/91
B. Reed Clerk of the 4th Judicial District Court of the State of Nevada, in and for the County of Douglas.

By B. Reed Deputy
246243
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REQUESTED BY
WESTERN TITLE COMPANY, INC.
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

91 MAR 11 AIO:57

SUZANNE BEAUDREAU
RECORDER

\$ 11.00 PAID Bk DEPUTY