

1 Case No. 00-PB-0057

2 Dept. No. I

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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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8

9 IN THE MATTER OF THE ESTATE

10

-of-

AGREEMENT AND LIEN

11

AGNES W. PRATT, also known as
AGNES WALLIN PRATT,

12

Deceased.

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The STATE OF NEVADA, DEPARTMENT OF HUMAN RESOURCES, WELFARE
DIVISION (hereinafter referred to as Nevada State Welfare Division), by and through FRANKIE
SUE DEL PAPA, Attorney General, and her Deputy Attorney General, CHARLES HILSABECK,
hereby agrees with VICTOR E. BERGSTROM, Administrator of the Estate of AGNES W. PRATT,
as follows:

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WHEREAS, AGNES W. PRATT applied for and received Medicaid benefits through the
Nevada State Welfare Division; and

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WHEREAS, the Nevada State Welfare Division paid FORTY-ONE THOUSAND NINE
HUNDRED FORTY-SIX DOLLARS and 91/100 (\$41,946.91) in Medicaid benefits to AGNES W.
PRATT as of August 14, 2000; and

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WHEREAS, the amount of benefits paid is not expected to increase; and

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WHEREAS, the amount of the lien will not increase if the amount of benefits paid increases;

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and

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WHEREAS, AGNES W. PRATT died on April 26, 2000; and

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James O'Reilly, LLC
1492 Hwy 39S Suite 106
Gardnerville, NV 89410

1 WHEREAS, pursuant to Nevada Revised Statute 422.2935, the Nevada State Welfare
2 Division has a statutory claim upon the Estate of AGNES W. PRATT for Medicaid benefits paid on
3 her behalf; and

4 WHEREAS, AGNES W. PRATT, decedent, owned real property located at 1364 Elges
5 Avenue, Gardnerville Nevada, A.P.N. 1220-04-515-017, more particularly described as follows:

6 Lot 40, as shown on that certain map entitled "FINAL MAP OF CARSON VALLEY
7 ESTATES SUBDIVISION UNIT NO. 3," filed for record in the Office of the
8 Recorder of Douglas County, State of Nevada, on September 15, 1971, in Book 2 of
9 Maps, at Page 257, under Document No. 54454;

and

10 WHEREAS, VICTOR E. BERGSTROM has been appointed as the Administrator of the
11 Estate of AGNES W. PRATT; and

12 WHEREAS, VICTOR E. BERGSTROM agrees that the property should be included in the
13 undivided Estate of AGNES W. PRATT; and

14 WHEREAS, Nevada Revised Statute 422.29355 provides for the Nevada State Welfare
15 Division to impose a lien upon real property or personal property of a Medicaid recipient or her
16 estate, including property that was held as joint tenancy, pursuant to Nevada Revised Statute
17 422.054; and

18 WHEREFORE, IT IS HEREBY AGREED that the Nevada State Welfare Division shall have
19 a lien in the amount of FORTY-ONE THOUSAND NINE HUNDRED FORTY-SIX DOLLARS and
20 91/100 (\$41,946.91) against the subject property located at 1364 Elges Avenue, Gardnerville,
21 Nevada, APN. 1220-04-515-017, being more particularly described as follows:

22 Lot 40, as shown on that certain map entitled "FINAL MAP OF CARSON VALLEY
23 ESTATES SUBDIVISION UNIT NO. 3," filed for record in the Office of the
24 Recorder of Douglas County, State of Nevada, on September 15, 1971, in Book 2 of
25 Maps, at Page 257, under Document No. 54454.

26 IT IS FURTHER AGREED that upon execution, this document shall constitute a lien in the
27 amount of FORTY-ONE THOUSAND NINE HUNDRED FORTY-SIX DOLLARS and 91/100
28 (\$41,946.91), upon the subject property.

IT IS FURTHER AGREED that the Nevada State Welfare Division waives any right of
foreclosure until December 31, 2002.


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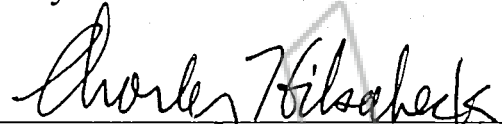
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1 IT IS FURTHER AGREED that the lien will not increase.


2 DATED this 26 day of March, 2001.

3 FRANKIE SUE DEL PAPA
4 Attorney General

5 
6 VICTOR E. BERGSTROM, Administrator
7 of the Estate of Agnes W. Pratt
8 Post Office Box 1196
9 Gardnerville, Nevada 89410

By: 
10 CHARLES HILSABECK, DAG
11 Nevada Bar No. 4289
12 Attorney for Nevada State Welfare
13 1325 Airmotive, Suite 340
14 Reno, Nevada 89502
15 (775) 688-1818

16 
17 ROSE BERGSTROM, Beneficiary of the
18 Estate of Agnes W. Pratt
19 Post Office Box 1196
20 Gardnerville, Nevada 89410


21 RUTH WARPULA, Beneficiary of the
22 Estate of Agnes W. Pratt
23 2200 Montauh Road, N.W.
24 Roanoke, Virginia 24107

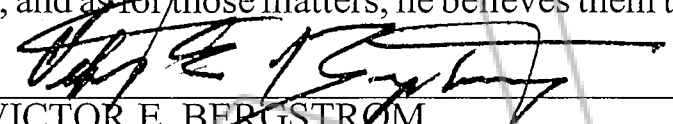
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1 STATE OF NEVADA)
 : SS
2 COUNTY OF DOUGLAS)

3 VICTOR E. BERGSTROM, being first duly sworn, deposes and says:

4 That he is the Administrator of the Estate of AGNES W. PRATT, that he has read the above
5 and foregoing and knows the contents thereof and the same is true of his own knowledge except for
6 matters therein stated on information and belief, and as for those matters, he believes them to be true.

7 
8 VICTOR E. BERGSTROM

9 SUBSCRIBED AND SWORN to before
10 me this 8 day of March, 2001.

11 
12 Notary Public



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24 REQUESTED BY
James O'Reilly
25 IN OFFICIAL RECORDS OF
26 DOUGLAS CO. NEVADA

27 2001 MAR 27 AM 11:45

28 LINDA SLATER
RECORDER

\$ 0.00 PAID Ka DEPUTY

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