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3 **Nevada State Bar 3802**
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OCT 23 2001
DOUGLAS COUNTY
DISTRICT COURT CLERK

'01 OCT 23 P1:50

BARBARA REED
CLERK
BY **WILLIAMS** DEPUTY

Attorneys for Petitioner

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

9 IN THE MATTER OF THE ESTATE

10 of

Case No.: 01-PB-0082

Dept. No. 1

12 EMMA VON ROENN ELY,

13 Deceased.

15 **ORDER SETTING ASIDE**
16 **ESTATE WITHOUT ADMINISTRATION**

17 The Court having reviewed the Petition for Order Setting Aside Estate Without
18 Administration, in which Petitioner, Irene Ely Gurley, requests an order setting aside the
19 above estate without administration, this matter having come before the Court on this
20 date, the Court having considered said petition, the file herein, and it appearing that
21 notice of the hearing was given according to law, and good cause appearing therefor, the
22 Court finds as follows:
23

24 1. Emma Von Roenn Ely (the "Decedent") died on March, 30, 2000, in
25 Gardnerville, Douglas County, Nevada, and at the time of her death, was domiciled and
26 permanently residing in the County of Douglas, State of Nevada, and left property in the
27 State of Nevada subject to probate.
28

Irene Ely Gurley
1328 So. Riverview
Gardnerville, NV 89412

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BK1001PG7912

1 2. The Decedent left a duly executed Will dated July 18, 1989, in which
2 Petitioner is named Executor. The original Will of the Decedent has been lodged in this
3 Court.

4 3. The probatable assets of the Decedent, as of the date of death, do not
5 exceed \$50,000.

6 4. Petitioner has no knowledge of any liens or encumbrances against the
7 Decedent's property and there are no liens or encumbrances of record against the
8 Decedent's property.

9 5. Petitioner has retained a certified public accountant, who will prepare the
10 final individual income tax return for the Decedent, the fiduciary tax return for Decedent's
11 estate and federal and state estate tax returns for Decedent's estate (if any). Petitioner
12 will ensure that all returns are filed within the time required by law.

13 6. The Will of the Decedent provides that the sole beneficiaries of all of
14 the Decedent's property is Irene Gurley, Trustee and Beneficiary, and Doreen Ely,
15 Beneficiary, of the trust designated as the Ely Living Trust Agreement, dated July,
16 18 1989, as amended, of which Decedent was the Grantor.

17 7. Pursuant to §146.070 of the Nevada Revised Statutes, all of the Decedent's
18 property should be set aside to Irene Ely Gurley, Trustee, and Dorene Ely, as
19 Beneficiaries of the Ely Living Trust, dated July 18, 1989, as amended, after payment of
20 administrative fees and costs, all funeral expenses, any expenses of last illness, money
21 due to the Department of Human Resources, if any, and Decedent's creditors.

22 Based on the foregoing findings,

23 IT IS HEREBY ORDERED that:

24 //

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26 BK1001PG7913

1 1. Due and lawful notice has been given of the Petition for Order Setting Aside Estate
2 Without Administration to the decedent's heirs, devisees and legatees pursuant to
3 \$146.070 and \$155.010 of the Nevada Revised Statutes.

4 2. The value of the decedent's estate, less encumbrances, does not exceed
5 Fifty Thousand Dollars (\$50,000).

6 3. Good cause appearing, the estate shall be and hereby is set aside and the
7 estate shall not be administered upon.

8 4. The balance of the Decedent's property, after payment of administrative
9 fees, any unpaid funeral expenses, any expenses of last illness, any money owed to the
10 Department of Human Resources and Decedent's creditors, shall be set aside to Irene
11 Ely Gurley, Trustee, and Dorene Ely, as Beneficiaries of the Ely Living Trust, dated July
12 18, 1989, as amended.

13 DATED this 23 day of OCT., 2001.

14
15
16 David R. Bramble
17 DISTRICT JUDGE

18
19
20
21
22
23 CERTIFIED COPY

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

SEAL

27 DATE: OCT. 23, 2001
28 J. Reed Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

By [Signature] Deputy

REQUESTED BY
Irene Gurley
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2001 OCT 23 PM 2:10

LINDA SLATER
RECORDER

0526100

\$ 16.00 PAID BC DEPUTY