

17  
**FILED**

NO \_\_\_\_\_

2002 JUN -5 PM 1:16

BARBARA REED  
CLERK

**B. WILLIAMS** DEPUTY

1 **DOCUMENT CODE 3240**  
DON L. ROSS, ESQ.  
2 Nevada State Bar 3802  
✓ **WOODBURN AND WEDGE**  
3 6100 Neil, Road, Suite 500  
Post Office Box 2311  
4 Reno, Nevada 89511  
Telephone: (775) 688-3000

5 Attorneys for Petitioner

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

9  
10 **IN THE MATTER OF THE ESTATE**

11 **OF**

12 **CALVIN E. SWIFT**

Case No.: 02-PB-0048

Dept. No. I

13  
14 \_\_\_\_\_ /  
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, MICHAEL K. SWIFT, requests an order setting aside  
19 the 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. Calvin E. Swift (the "Decedent") died on March 3, 1994, in Gardnerville,  
25 Douglas County, Nevada, and at the time of his death, was domiciled and permanently  
26 residing in the County of Douglas, State of Nevada, and left property in the State of  
27 Nevada subject to probate.  
28

0543846

BK0602PG01101

1           2.     The Decedent left a duly executed Will dated August 6, 1992, in which  
2     Petitioner is named Executor. The Will of the Decedent was previously lodged with this  
3     Court on March 21, 1994.

4           3.     The sole asset of the Decedent's estate is that certain parcel of property  
5     located in Douglas County, Nevada, and more particularly described as follows:

6                                 Lot A (Common Area) of LINDEN MANOR, as shown on the  
7                                 Official Map thereof filed in the office of the County Recorder of  
8                                 Douglas County, State of Nevada, on March 27, 1973, in Book 373,  
9                                 at Page 697 as Document No. 64915.

10                                APN 1220-04-511-019

11           4.     The assets of the Decedent, as of the date of death, do not exceed  
12     \$50,000.

13           5.     Petitioner has no knowledge of any liens or encumbrances against the  
14     Decedent's property and there are no liens or encumbrances of record against the  
15     Decedent's property.

16           6.     The final income tax return for Decedent has been filed. It is not necessary  
17     to file a fiduciary tax return for Decedent's estate.

18           7.     Article Fifth of the Will of the Decedent provides as follows:

19                                FIFTH: I hereby give, devise, and bequeath all of my estate, of whatever  
20                                kind and description, and wheresoever situated, to THE CALVIN E. SWIFT  
21                                LIVING TRUST.

22           8.     Pursuant to §146.070 of the Nevada Revised Statutes, it is deemed just  
23     that the Court should set aside all of the Decedent's property to the Trustee of THE  
24     CALVIN E. SWIFT LIVING TRUST, dated April 30, 1982, after payment of administrative  
25     fees and costs, all funeral expenses, any expenses of last illness, money due to the  
26     Department of Human Resources, if any, and Decedent's creditors.

27     ////

0543846

1 Based on the foregoing findings,

2 IT IS HEREBY ORDERED that:

3 1. Due and lawful notice has been given of the Petition for Order Setting Aside  
4 Estate Without Administration to the decedent's heirs, devisees and legatees pursuant to  
5 §146.070 and §155.010 of the Nevada Revised Statutes.  
6

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

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

11 4. That certain parcel of real property located in Douglas County, Nevada, and  
12 more particularly described as follows:

13  
14 Lot A (Common Area) of LINDEN MANOR, as shown on the  
15 Official Map thereof filed in the office of the County Recorder of  
16 Douglas County, State of Nevada, on March 27, 1973, in Book 373,  
17 at Page 697 as Document No. 64915.

18 APN 1220-04-511-019

19 shall be set aside to the Trustee of THE CALVIN E. SWIFT LIVING TRUST, dated April  
20 30, 1982.

21 4. The balance of the Decedent's property, after payment of administrative  
22 fees, any unpaid funeral expenses, any expenses of last illness, any money owed to the  
23 Department of Human Resources and Decedent's creditors, shall be set aside to the  
24 Trustee of THE CALVIN E. SWIFT LIVING TRUST, dated April 30, 1982.

25 DATED this 5 day of June, 2002.

26 *David R. Bramble*

27 DISTRICT JUDGE

28 0543846

COPIES

**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: June 5, 2002  
B. Reed Clerk of the 8th Judicial District Court  
of the State of Nevada, in and for the County of Douglas,

By [Signature] Deputy

**SEAL**

REQUESTED BY  
Woodburn & Wedge  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2002 JUN -5 PM 1:32

LINDA SLATER  
RECORDER

0543846

\$ 17.00 PAID BC DEPUTY

BK0602PG01104