

1 CASE NO.: 01-PB-0020

FILED

2 DEPT NO.: I

NO _____

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IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

5

IN AND FOR THE COUNTY OF DOUGLAS

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In the Matter of the Estate of:)

ORDER SETTLING FIRST AND FINAL
ACCOUNT, PETITION FOR FEES AND
DECREE OF DISTRIBUTION

7

PATSY ANN MILITANTE,)

8

Deceased.)

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DAVID MILITANTE Administrator of the Estate of PATSY ANN

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MILITANTE, Decedent, having filed herein his First and Final Account,

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Report of Administration, Petition for Distribution and Application for

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Order Authorizing Payment of Attorneys' Fees and Costs, and a hearing

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thereon having been had, due notice of which was proved, and the Court

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having reviewed the evidence, read the papers and it appearing as

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follows:

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1. That the accounting in this matter is in all respects true and correct.

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2. That due and legal notice to creditors of the Estate has been given in the manner and for the time required by law.

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3. That all claims and debts against Decedent and against the Estate, and all debts, expenses and charges of administration have been fully paid and discharged, and there are no federal estate taxes due from the Estate or personal property taxes due and payable by the Estate, and that said Estate is ready for distribution and is now in a condition to be closed.

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4. That an Inventory, Appraisement and Record of Value was filed on May 29, 2001, and the Estate consists of real and personal

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1 property valued at Three Hundred, Thirty-eight Thousand, Fifty-
2 two Dollars and Forty-one Cents (\$338,052.41).

3 5. That SCARPELLO & ALLING, LTD., attorneys for Administrator of the
4 Estate, DAVID MILITANTE, has performed services in connection with
5 the Estate for which Petitioner has agreed to pay from the Estate
6 assets a fee of Three Thousand, Three Hundred, Eight Dollars And
7 Seventy-five Cents (\$3,308.75), together with costs in the amount
8 of Three Hundred, Sixty-One Dollars and Sixty-Seven Cents
9 (\$361.67) advanced on the Estate's behalf, and any further closing
10 costs that may accrue. Such fees are fair just and reasonable.

11 6. That Petitioner be allowed to distribute the Estate as follows:

12 a. That DAVID MILITANTE execute the Administrator's Deed
13 (attached as Exhibit A) conveying Decedent's real property to
14 DAVID MILITANTE, a single man, and Kim Shabomardenly, a
15 married woman, as tenants in common forthwith, each with an
16 undivided one-half interest in the real property which is the
17 subject of the Deed;

18 b. That all other property, after payment of fees and costs,
19 contained within the Inventory, Appraisement and Record of
20 Value be conveyed to DAVID MILITANTE, a single man, and Kim
21 Shabomardenly, a married woman, as tenants in common
22 forthwith, each with an undivided one half interest in the
23 all the other property of the Estate, including the Ford
24 Escort VIN 1FARP1288rw154046 and the Subaru Outback VIN 4S3-
25 BH6653-Y7644828;

26 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

27 1. That the First and Final Account, Report of Administration,
28 Petition for Distribution and Application for Order Authorizing

-2-

Order Settling First and Final Account, Petition for Fees and Decree of Distribution

1 Payment of Attorney's Fees and Costs, be, and is approved,
2 confirmed, adopted by reference, allowed and settled; the facts,
3 accounts and matters alleged and reported therein are a true,
4 complete and correct record of the administration of the Estate.

5 2. That Administrator DAVID MILITANT is authorized and directed to
6 pay the sum of Three Thousand, Three Hundred, Eight Dollars And
7 Seventy-five Cents (\$3,308.75), together with costs in the amount
8 of Three Hundred, Sixty-One Dollars and Sixty-Seven Cents
9 (\$361.67) advanced on the Estate's behalf, and any further closing
10 costs that may accrue to SCARPELLO & ALLING, LTD.,

11 3. That the Administrator is authorized and directed to distribute
12 the Estate as follows:

13 a. That DAVID MILITANTE is ordered to execute the
14 Administrator's Deed (attached hereto as Exhibit A) conveying
15 Decedent's real property to DAVID MILITANTE, a single man,
16 and Kim Shabomardenly, ^{a married woman} ~~a single woman~~, as tenants in common
17 forthwith, each with an undivided one half interest in the
18 real property which is the subject of the Deed;

19 b. That all other property, after payment of fees and costs,
20 contained within the Inventory, Appraisement and Record of
21 Value be conveyed to DAVID MILITANTE, a single man, and Kim
22 Shabomardenly, a married woman, as tenants in common
23 forthwith, each with an undivided one half interest in the
24 all the other property of the Estate, including the Ford
25 Escort VIN 1FARP1288rw154046 and the Subaru Outback VIN 4S3-
26 BH6653-Y7644828;

27 4. That after payment of the foregoing fees, costs, closing costs and
28 distribution of the Estate, Petitioner is authorized and directed

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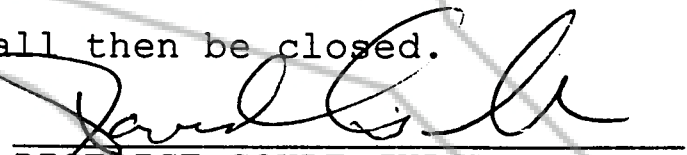
to distribution all of the rest, residue and remainder of the Estate, now known or hereafter discovered as follows:

a. To DAVID MILITANTE, a single man and Kim Shabomardenly, a married woman, as tenants in common, forwith, each with an undivided one-half interest in all other property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the filing of appropriate receipts and recordation of an executed Administrator's Deed, Administrator DAVID MILITANTE shall be discharged from his trust and liability herein, and the Estate shall then be closed.

DATED:


7/17/01


DISTRICT COURT JUDGE

Submitted by:

SCARPELLO & ALLING, LTD.

By:


MICHAEL R. JOHNSON, ESQ., #6360
Attorneys for the Estate Administrator
Post Office Box 3390
Lake Tahoe, NV 89440-3390
(775) 588-6676

COPY

EXHIBIT A

0544366

BK0602PG03267

1 MAIL TAX STATEMENTS TO:

2 MILITANTE, DAVID
3 Post Office Box 2796
4 Stateline NV 89449

5
6 **ADMINISTRATOR'S DEED**

7 THIS INDENTURE made this _____ day of _____, 2001, by and
8 between DAVID MILITANTE, the duly appointed and qualified Administrator
9 of the Estate of PATSY ANN MILITANTE, Deceased, the party of the first
10 part and DAVID MILITANTE, a single man, and KIM SHABOMARDENLY, a
11 married woman, as tenants in common, each with an undivided one half
12 interest, the parties of the second part:

13 **W I T N E S S E T H:**

14 **WHEREAS**, pursuant to an Order Re: Petition to Close Estate, for
15 Approval of Attorneys Fees and Costs and for a Decree of Final
16 Distribution, entered by the Ninth Judicial District Court of the State
17 of Nevada, in and for the County of Douglas, a certified copy of which
18 is recorded simultaneously herewith, the party of the first part has
19 been ordered to convey to the party of the second part all right, title
20 and interest to the real property hereinafter described.

21 **NOW THEREFORE**, DAVID MILITANTE as Administrator of the Estate of
22 PATSY ANN MILITANTE, Deceased, the party of the first part, pursuant to
23 said Order of the District Court, does hereby grant and convey unto the
24 said party of the second part, all right, title and interest in that
25 certain parcel of real property held by PATSY ANN MILITANTE, Deceased,
26 more particularly described as follows:

27 192 Juniper Drive
28 Lot 11, Block C
Kingsbury Meadows
Douglas County APN 07-205-110

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