

(Space Below This Line For Acknowledgment)

STATE OF NEVADA )

COUNTY OF Douglas )

)  
) ss.  
)

This instrument was acknowledged before me on July 3, 2002 by

Frederick R. Winberg & Karen S. Winberg  
(name(s) of person(s))

as \_\_\_\_\_  
(type of authority, e.g., officer, trustee, etc.)

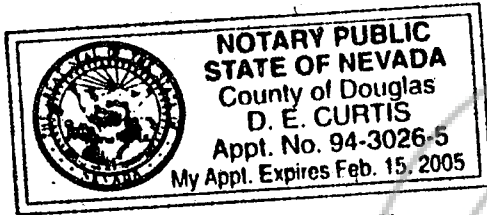
of \_\_\_\_\_  
(name of party on behalf of whom instrument was executed)

[NOTARY STAMP]

D. E. Curtis  
(Signature of notarial officer)

Notary Public  
(Title and rank)

(My commission expires: 2-15-05)



REQUESTED BY  
**FIRST AMERICAN TITLE CO.**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2002 JUL 10 AM 11:26

LINDA SLATER  
RECORDER

\$ 30.00 PAID KJ DEPUTY

0546710

BK0702PG02757

FILED

NO. \_\_\_\_\_

2002 JUL -1 PM 1:29

RECEIVED  
JUL 01 2002  
DOUGLAS COUNTY  
DISTRICT COURT CLERK

1 CASE NO. 02-PB-0051

2 DEPT. NO. II

BARBARA REED  
CLERK

BY P. GREGORY DEPUTY

3  
4  
5  
6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF DOUGLAS

8  
9  
10 In the Matter of the Estate

11 of

12 Ellen H. Gansberg,

13 Deceased.  
14 \_\_\_\_\_/

**ORDER APPROVING PETITION TO  
SET ASIDE ESTATE WITHOUT  
ADMINISTRATION  
AND APPROVING CONVEYANCE OF  
PROPERTY TO TRUST**

15  
16 The Petition of Chris H. Gansberg, Jr. to Set Aside Estate without Administration  
17 and Approving Conveyance of Property to Trust of Chris H. Gansberg, Jr. came on  
18 regularly for hearing this date. No person appeared to contest the Petition. Based upon  
19 the Petition and after a hearing on the same, the Court hereby finds as follows:

20 1. All citations and notices of hearing have been given as required by law. A  
21 Proof of Service and an Affidavit of Mailing have been filed with the Court.

22 2. Ellen H. Gansberg (the "Decedent") died in Markleeville, Alpine County,  
23 California on February 25, 2000. A certified copy of the Decedent's death certificate has  
24 been filed with the Court. At the time of her death, the Decedent was a resident of the  
25 State of California and left property in Douglas County, Nevada consisting of an  
26

20  
✓ WALTER KEY MAUPIN  
3500 Lakeside Ct., Suite 200  
Reno, NV 89520

1 undivided one-half (1/2) community interest in an undivided one-half (1/2) interest in the real  
2 property with an estimated value not exceeding Two Thousand, Five Hundred Dollars  
3 (\$2,500.00). The property at issue was the community property of the Decedent and her  
4 surviving spouse, Chris H. Gansberg, Sr., who is also now deceased. One (1) certified  
5 copy of the death certificate of Chris H. Gansberg, Sr. has been filed with the Court. The  
6 remaining undivided one-half (1/2) interest in the real property was owned by the Decedent's  
7 brother-in-law, Fred Gansberg.  
8

9 3. The Decedent executed a Will dated May 13, 1998, a copy of which was filed  
10 with the Court. The Decedent's Will dated May 13, 1998 appears to be the last Will of the  
11 Decedent.  
12

13 4. The Decedent's Will nominates Chris H. Gansberg, Jr. as the Personal  
14 Representative of the Decedent's Will and Estate. Chris H. Gansberg, Jr. is over the age  
15 of majority, is a citizen of the United States, and has not been convicted of a felony.  
16

17 5. More than thirty (30) days have lapsed since the death of the Decedent.  
18

19 6. The specific description and the estimated value of all of the property of the  
20 Decedent which is otherwise subject to probate administration is as follows:  
21  
22  
23  
24  
25  
26

//

//

//

//

//

1 Description

Value

2 An undivided one-half (1/2) community interest in an undivided one-half  
3 (1/2) interest (totaling a one-quarter (1/4) interest) in 1.25 acres of real  
4 property located in Douglas County, Nevada, the legal description of  
5 which is as follows:

6 All that real property situate in the County of Douglas, State of Nevada,  
7 described as follows:

8 All that certain piece or parcel of land lying in a portion of the Southeast  
9 1/4 of the Southeast 1/4 of Section 6, Township 11 North, Range 20  
10 East, M.D.B.&M., in Douglas County, Nevada, and more particularly  
11 described by metes and bounds as follows, to wit;

12 BEGINNING at a point on the Nevada-California State Line at the  
13 Southeast corner of the parcel, said point being described as bearing  
14 North 0°02' East, a distance of 1011.12 feet from the section corner  
15 common to Sections 5, 6, 7 and 8 of said Township and Range; thence  
16 North 48°36'30" West, along the state line a distance of 467.60 feet to  
17 the 1/16th section line and the Northwest corner of the parcel; thence  
18 North 89°37' East along the subdivision line a distance of 350.97 feet  
19 to the Northeast corner of the parcel and the East boundary line of said  
20 Section 6; thence 0°02' West, along the East line of said Section 6, a  
21 distance of 311.52 feet to the point of beginning.

22 APN: 1120-06-000-008

\$1,000.00

23 TOTAL ESTATE

\$1,000.00

24 The value set forth for the Real Property above has been obtained pursuant to appraisal  
25 for the United States Estate (and Generation-Skipping Transfer) Tax Return (Form 706) for  
26 the estate of the Decedent.

7. There are no liens or encumbrances of record pending against the property  
of the estate.

8. All debts of the Decedent have been satisfied.

9. Set Aside. The Decedent was survived by her spouse, Chris H. Gansberg,  
Sr. Petitioner now believes that under Nevada community property law, the Decedent held

1 an interest in the Real Property. Since Chris H. Gansberg, Sr. survived the Decedent, the  
2 Decedent's share of the community interest should qualify for set aside to Chris H.  
3 Gansberg, Sr. in accordance with Section 146.070 of the Nevada Revised Statutes.  
4 Accordingly, Petitioner respectfully requests the Court to set aside the Decedent's interest  
5 in the property at issue to her surviving spouse, Chris H. Gansberg, Sr.  
6

7 10. Subsequent to the Decedent's death, and prior to the death of the Decedent's  
8 surviving spouse, Petitioner executed a Quitclaim Deed on behalf of Chris H. Gansberg,  
9 Sr. under a Durable Power of Attorney for Asset Management to a revocable living trust  
10 known as the Chris and Ellen Gansberg Trust under Agreement dated May 13, 1998. One  
11 (1) copy of the Quitclaim Deed is attached hereto as Exhibit D. Petitioner assumed that the  
12 transfer was effective to complete a transfer of the Real Property and was unaware of the  
13 fact that the Decedent's community interest in the Real Property was not automatically  
14 included in the conveyance since the same had not yet been set aside to Chris H.  
15 Gansberg, Sr. The unintentional mistake was quite understandable since the Decedent's  
16 name did not appear in the actual title to the property.  
17

18 Petitioner has requested the Court set aside the Decedent's interest in said property  
19 to Chris H. Gansberg, Sr. which will complete the transfer of title to Chris H. Gansberg, Sr.  
20 However, the Decedent's interest in the Real Property acquired through set aside to Chris  
21 H. Gansberg, Sr. will not relate back and attach to the Quitclaim Deed. Accordingly, the  
22 Deed is not effective to convey the Decedent's interest in the real property to such trust as  
23 was originally intended.  
24

25 11. Section 148.410(1)(a) of the Nevada Revised Statutes allows an interested  
26 person to petition the Court for an order confirming title to real property where the

1 Decedent died owning property which is claimed by another. Petitioner, in his capacity as  
2 Trustee of the Chris and Ellen Gansberg Trust has claimed ownership to the real property  
3 at issue on behalf of the Trust and in accordance with the Quitclaim Deed referenced  
4 above. Petitioner believes that his father, Chris H. Gansberg, Sr. intended to transfer the  
5 entire undivided one-half (1/2) interest in the real property to the trust, including any interest  
6 received from the Decedent in the same. Had the set aside of the property to Chris H.  
7 Gansberg Sr. been completed prior to the execution and recordation of the attached  
8 Quitclaim Deed, title would be clear. Accordingly, Petitioner has requested authority to  
9 execute a Deed clarifying said title in the real property, including any and all interests of  
10 Chris H. Gansberg, Sr. and the Decedent, to Chris H. Gansberg, Jr., as Trustee of the  
11 Chris and Ellen Gansberg Trust under Agreement dated May 13, 1998, which this Court  
12 finds reasonable.  
13  
14

15 BASED UPON THE ABOVE, the Court hereby Orders the following:

16 A. The Court finds that good cause has been shown in support of the Petition.

17 B. The Court finds the total gross value of the Decedent's estate subject to  
18 probate administration in the State of Nevada does not exceed \$50,000.

19 C. The Court finds the real property of Ellen H. Gansberg, situate in the County  
20 of Douglas, State of Nevada, consisting of an undivided one-half (1/2) community interest  
21 in an undivided one-half (1/2) interest in the real property described as:  
22

23 All that certain piece or parcel of land lying in a portion of the Southeast 1/4  
24 of the Southeast 1/4 of Section 6, Township 11 North, Range 20 East,  
25 M.D.B.&M., in Douglas County, Nevada, and more particularly described by  
26 metes and bounds as follows, to wit;

1 BEGINNING at a point on the Nevada-California State Line at the Southeast  
2 corner of the parcel, said point being described as bearing North 0°02' East,  
3 a distance of 1011.12 feet from the section corner common to Sections 5, 6,  
4 7 and 8 of said Township and Range; thence North 48°36'30" West, along the  
5 state line a distance of 467.60 feet to the 1/16th section line and the  
6 Northwest corner of the parcel; thence North 89°37' East along the subdivision  
7 line a distance of 350.97 feet to the Northeast corner of the parcel and the  
8 East boundary line of said Section 6; thence 0°02' West, along the East line  
9 of said Section 6, a distance of 311.52 feet to the point of beginning,

10 APN: 1120-06-000-008,

11 is assigned and set aside to Chris H. Gansberg, Sr.

12 D. The Court finds thereafter, and pursuant to Section 148.410(1)(a) of the  
13 Nevada Revised Statutes, Chris H. Gansberg, Jr. is authorized to execute a deed conveying

14 //  
15 //  
16 //  
17 //