

APN: A portion of 1319-30-644-042

Recording Requested by:

✓Evan Beavers, Esq.
1702 County Road, Ste. A3
Minden, NV 89423

Please send tax statement to:

Susan Mackenzie, Executrix
Estate of Carroll Lee Cook
266 S. Front Street, Ste. 206
Memphis, Tennessee 38103

18
REQUESTED BY
Evan Beavers Esq
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2003 DEC 16 PM 4:13

WERNER CHRISTEN
RECORDER

\$ 18⁰⁰ PAID K2 DEPUTY

**ORDER SETTING ASIDE ESTATE
WITHOUT ADMINISTRATION**

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BK1203PG07306

1 Case No. 03-PB0107

2 Dept. No. II

RECEIVED
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DOUGLAS COUNTY
DISTRICT COURT CLERK

2003 DEC 15 PM 1:41

DANIEL R. FRED
CLERK

BY R. Williams DEPUTY

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

9 In the Matter of the Estate

10 of

11 CARROLL LEE COOK,

12 Deceased.

**ORDER SETTING ASIDE ESTATE
WITHOUT ADMINISTRATION**

13

14 It appearing to the satisfaction of the court that a
15 verified petition to set aside the Nevada estate of the above-named
16 decedent without administration has been filed, and that notice of the
17 time and place of the hearing thereon has been duly given in this
18 matter in the manner and for the period required by law, and that no
19 one has objected or presented any reason why the petition should not
20 be granted;

21 The Court finds that the gross value of the Nevada estate
22 of the decedent does not exceed the sum of \$50,000; that the joint
23 tenant to the subject property predeceased the decedent; that there
24 remains association dues on the Nevada timeshare and other outstanding
25 debts that need be satisfied out of the property of the decedent
26 situate in the State of Nevada; that there is no surviving spouse or
27 minor child; that the person named below as the executrix of the
28 Mississippi estate of Carroll Lee Cook, on behalf of the estate, is

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1 entitled to the whole of the Nevada estate for the purpose of
2 liquidating assets to pay remaining creditors' claims, pursuant to the
3 Last Will of the decedent and NRS 146.070; and that any balance
4 remaining from the sale proceeds after payment of claims shall be
5 distributed to the decedent's surviving siblings, to wit: Edward
6 Cook, David W. Cook, William S. Cook, and John M. Cook, pursuant to
7 the Last Will of the decedent.

8 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court
9 as follows:

10 1. That the gross value of the Nevada estate of the
11 decedent does not exceed the sum of \$50,000;

12 2. That JOEL A. McNAIR, joint tenant to the Nevada real
13 property, predeceased the decedent, CARROLL LEE COOK, and that CARROLL
14 LEE COOK held sole title to the Nevada real property at the date of
15 his death;

16 3. That the whole of the estate of CARROLL LEE COOK,
17 deceased, be, and the same is hereby assigned and set aside to Susan
18 Mackenzie, Executrix of the Estate of Carroll Lee Cook, for the
19 purpose of liquidating the Nevada estate to pay remaining debts;

20 4. That any remaining balance from the sale of the Nevada
21 estate, after payment of debts, shall be distributed to the decedent's
22 surviving siblings, to wit: Edward Cook, David W. Cook, William S.
23 Cook, and John M. Cook, share and share alike;

24 5. That the Nevada estate is a timeshare at The Ridge
25 Tahoe Plaza, located in the County of Douglas, State of Nevada, more
26 specifically described as follows:

27 PARCEL ONE

28 An undivided 1/51st interest in and to that certain condominium as follows:

1 (a) An undivided 1/106th interest as tenants-in-common, in and to Lot
2 37 as shown on Tahoe Village Unit No. 3-10th Amended Map,
3 recorded September 21, 1990 as Document No. 235008, Official
4 Records of Douglas County, State of Nevada. Except therefrom
5 Units 039 through 080 (inclusive) and Units 141 through 204
6 (inclusive) as shown and defined on that certain Condominium Plan
7 recorded as Document No. 182057, Official Records of Douglas
8 County, State of Nevada.

9 (b) Unit No. 075 as shown and defined on said last Condominium Plan.

10 PARCEL TWO

11 (a) A non-exclusive easement for roadway and public utility purposes
12 as granted to Harich Tahoe developments in deed re-recorded
13 December 8, 1981, as Document No. 63026, being over a portion of
14 Parcel 26-A (described in Document No. 01112, recorded June 17,
15 1976) in Section 30, Township 13 North, Range 19 East, M.D.B.&M.;
16 and

17 (b) An easement for ingress, egress and public utility purposes, 32'
18 wide, the centerline of which is shown and described on the
19 Seventh Amended Map of Tahoe Village No. 3, recorded April 9,
20 1986, as Document No. 133178 of Official Records, Douglas County,
21 State of Nevada.

22 PARCEL THREE

23 A non-exclusive right to use the real property known as "Common Area" as
24 shown on Tahoe Village Unit No. 3-10th Amended Map, recorded September 21,
25 1990 as Document No. 235008 of the Douglas County Recorder's Office, Douglas
26 County, Nevada, within Section 30, Township 13 North, Range 19 East,
27 M.D.B.&M. for all those purposes provided for in the Declaration of
28 Covenants, Conditions, and Restrictions recorded January 11, 1973, as
Document No. 63681, in Book 173, Page 229 of Official Records and in
modifications thereof: (1) recorded September 28, 1973, as Document No.
69063 in Book 973, Page 812 of Official Records; (2) recorded July 2, 1976,
as Document No. 1472 in Book 776, Page 87 of Official Records; and (3)
recorded July 26, 1989, as Document No. 207446, in Book 789, Page 3011.

PARCEL FOUR

A non-exclusive easement for ingress and egress and recreational purposes and
for the use and enjoyment and incidental purposes over, on and through Lots
29, 30, 35, 39, 40, and 41 as shown on Tahoe Village Unit No. 3 - 10th Amended
Map, recorded September 21, 1990 as Document No. 235008 of the Douglas County
Recorder's Office, Douglas County, Nevada, within Section 30, Township 13
North, Range 19 East M.D.B.&M. for all those purposes provided for in the
Fourth Amended and Restated Declaration of Covenants, Conditions and
Restrictions, recorded February 14, 1984, as Document No. 96758 and as
amended from time to time of Official Records of Douglas County, State of
Nevada.

PARCEL FIVE

The exclusive right to use any UNIT of the same Unit Type as described in the
Declaration of Annexation of The Ridge Tahoe Phase Five recorded August 18,
1988, as Document No. 184461 of Official Records of Douglas County, in which
an interest is hereby conveyed in subparagraph (B) of Parcel One, and the
non-exclusive right to use the real property referred to in subparagraph (A)

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of Parcel One and Parcels Two, Three and Four above for all of the purposes provided for in the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions of the Ridge Tahoe, recorded February 14, 1984, as Document No. 96758 of Official Records of Douglas County, during ONE use week within the Prime season, as said quoted term is defined in the Declaration of Annexation of the Ridge Tahoe Phase Five.

The above described exclusive right may be applied to any available unit of the same Unit Type on Lot 37 during said use week within said "use season".

A Portion of APN 1319-30-644-042

Together with any and all other assets of the estate that may hereafter be discovered within the State of Nevada.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate be not further administered upon.

DONE IN OPEN COURT this 15 day of December, 2003.

[Signature]
DISTRICT JUDGE

Submitted by:
EVAN BEAVERS & ASSOCIATES

By: *[Signature]*
EVAN BEAVERS, ESQ.
Nevada State Bar No. 003399
1702 County Road, Suite A3
Minden, Nevada 89423
Telephone No. (775) 782-5110
Attorney for Petitioner

CERTIFIED

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.

SEAL

DATE: Dec. 15, 2003
[Signature] Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

By: *[Signature]* Deputy