

REQUESTED BY
George Keele
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

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Case No. 03-PB-0113

Dept. No. II

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P. GREGORY
DEPUTY CLERK

WERNER CHRISTEN
RECORDER

\$20⁰⁰ PAID K J DEPUTY

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

IN THE MATTER OF THE ESTATE
OF
FRANK W. BONDIETTI,
Deceased.

**ORDER SETTLING FIRST AND
FINAL ACCOUNTING AND PETITION
FOR FEES AND FOR
FINAL DISTRIBUTION**

LINDA ANN BONDIETTI and KAREN MARIE MUSGROVE, as Co-
Executrixes of the estate of FRANK W. BONDIETTI, deceased,
having filed herein on July 13, 2004, their First and Final
Account and Petition for Fees and for Final Distribution and a
hearing thereon having come on regularly to be heard this 2nd
day of August, 2004, and proof having been made to the
satisfaction of the Court that proper notice has been given in
this matter, the Court finds:

1. FRANK W. BONDIETTI died on the 5th day of November,
2003, in Douglas County, Nevada, and at the time of his death
was a resident of the County of Douglas, State of Nevada.

2. Said decedent died testate, and on the 2nd day of
February, 2004, Letters Testamentary were issued to

George M. Keele, Esq.
1692 County Road, #A
Minden, Nevada 89423
Phone: 775-882-6269
Fax: 775-782-2970

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1 Petitioners, whereupon Petitioners were duly and regularly
2 appointed and qualified as Co-Executrixes of said estate and
3 have since that date acted as such Co-Executrixes.

4 3. A period of less than six months has elapsed since
5 issuance of such Letters Testamentary.

6 4. Immediately after Letters Testamentary were issued
7 to your Petitioners in this estate, Petitioners caused to be
8 duly published a Notice to Creditors as required by NRS
9 147.010. An Affidavit of Publication of such notice has been
10 filed herein, and the time for presentation of claims against
11 the estate expired on May 11, 2004, ninety (90) days after the
12 first publication of said notice; no claims have been
13 presented against the estate for payment.

14 5. Petitioners filed herein an Inventory and
15 Appraisal on May 4, 2004, setting forth the total value of
16 the estate at \$458,932.29.

17 6. No federal estate tax is owed on this estate.

18 7. Attached as Exhibit A to the First and Final Account
19 and Petition for Fees and for Final Distribution was an
20 accounting which set forth the estate transactions from
21 November 5, 2003, through May 20, 2004. Said account was
22 prepared by Karen Musgrove, who set forth in the account the
23 total amounts of money received and expended by the Co-
24 Executrixes from November 5, 2003, through May 20, 2004. LINDA
25 ANN BONDIETTI has not objected to the account, so it appears
26 to have been prepared with her knowledge and tacit approval.
27

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1 8. Petitioners, LINDA ANN BONDIETTI and KAREN MARIE
2 MUSGROVE, as Co-Executrixes of this estate, have performed
3 services necessary to the administration of the estate since
4 the death of the decedent including marshaling all of the
5 assets of the estate and inventorying the same, placing the
6 liquid funds of the estate in an account, protecting and
7 inventorying the assets of the estate, collecting and paying
8 estate debts, and performing other necessary services in
9 connection with this estate. Nevertheless, Petitioners have
10 waived any fee for their services as Co-Executrixes herein.

11 9. The law office of NOEL E. MANOUKIAN, ESQ., rendered
12 legal services to this estate from November 14, 2003, through
13 January 6, 2004. Such services included without limitation
14 preparing and filing the Petition for Probate of Last Will and
15 Testament and Codicil, and the Notice of Hearing on said
16 Petition and conducting conferences and exchanging
17 correspondence with Linda Ann Bondietti and Karen Marie
18 Musgrove. NOEL E. MANOUKIAN, ESQ., and the Petitioners herein
19 have agreed that a reasonable fee for the services so rendered
20 is \$225 per hour, to be paid after approval thereof by this
21 Court. After hearing objections to a portion of said fees made
22 by the Co-Executrixes, the Court hereby approves fees of
23 \$ 2,512.50 and costs of \$ 211.75 to be paid to the law
24 firm of NOEL E. MANOUKIAN, ESQ. The \$500 deposit provided the
25 Manoukian law firm shall represent a credit against the
26 approved fees and costs.
27

28 The Petitioners had provided a check for \$500 to NOEL E.

George M. Keele, Esq.
1692 County Road, #A
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1 MANOUKIAN, ESQ., as an advance toward costs. This amount was
2 deposited in his trust account and all his above-referenced
3 costs were paid from that amount, leaving a balance in his
4 trust account of \$288.21.

5 10. On or about January 9, 2004, GEORGE M. KEELE, ESQ.,
6 agreed to serve as the attorney for the Co-Executrixes in the
7 place and stead of NOEL E. MANOUKIAN, ESQ. At that time, the
8 balance of \$288.21 in the trust account of NOEL E. MANOUKIAN,
9 ESQ., was transferred by Mr. Manoukian to the trust account of
10 GEORGE M. KEELE, ESQ. 11. Since approximately January 9,

11 2004, the law office of GEORGE M. KEELE, ESQ., has rendered
12 legal services necessary to the administration of the estate,
13 including preparing and filing all necessary legal documents,
14 notices, and pleadings required to date in this estate, and
15 performing other essential services. The law firm and the
16 Petitioners herein have agreed that a reasonable fee for the
17 services so rendered is \$225 per hour, to be paid after
18 approval thereof by this Court. After hearing objections to a
19 portion of said fees and costs made by the Co-Executrixes, the
20 Court hereby approves the payment to GEORGE M. KEELE, ESQ., of
21 the sum of \$ 5,182⁵⁰, as fees, and \$ 442²⁸, as
22 costs.
23

24 The law office of GEORGE M. KEELE, ESQ., has advanced the
25 sum of \$780.99 as unpaid costs in connection with this matter,
26 and the law firm is entitled to reimbursement of \$ 780⁹⁹
27 for the same. Petitioners propose that the sum of \$288.21
28 which is currently held in the trust account of GEORGE M.

1 KEELE, ESQ., be applied toward the total approved costs of
2 \$ 780.99, after approval by this Court, with the balance of
3 \$ 492.78 to be paid by the Petitioners from the other
4 assets of the estate.

5 11. KAREN MUSGROVE has properly advanced monies on
6 behalf of the estate totaling \$7,025.27. These advances are
7 reimbursable costs of administration as to which the Court has
8 received no objection to full payment.

9 12. No request for special notice has been filed in this
10 estate proceeding.

11 THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

12 A. Except as modified by the Court at the hearing on
13 the same, the relief prayed for in the First and Final Account
14 and Petition for Fees and for Final Distribution of LINDA ANN
15 BONDIETTI and KAREN MARIE MUSGROVE, Co-Executrixes of the
16 estate of FRANK W. BONDIETTI, deceased, be, and the same is,
17 hereby approved, confirmed, allowed, and settled, and all
18 actions taken by the Co-Executrixes in connection with the
19 administration of this estate as set forth in the account and
20 petition filed herein on July 13, 2004, are hereby ratified
21 and approved.

22 B. The Co-Executrixes are authorized and directed to
23 pay the sum of Seven Thousand twenty-Five and 27/100 Dollars
24 (\$7,025.27) to KAREN MUSGROVE as reimbursement for costs of
25 administration she advanced to the estate.
26

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1 C. The Co-Executrixes are authorized and directed to
2 pay the sum of \$ 2,512⁵⁰ to NOEL E. MANOUKIAN, ESQ., as
3 and for attorney's fees.

4 D. The Co-Executrixes are authorized and directed to
5 pay the sum of \$ 5,182⁵⁰ to GEORGE M. KEELE, ESQ., as
6 and for attorney's fees, together with the sum of \$ 780⁹⁹,
7 and further, reasonable estate-closing costs that may accrue,
8 as and for reimbursement of costs advanced by his law firm on
9 behalf of the estate.

10 E. Except as otherwise set forth herein, the claims of
11 any and all creditors of the decedent or of his estate are
12 forever barred pursuant to the provisions of section 147.040
13 of the Nevada Revised Statutes.

14 F. After payment of the foregoing fees and costs, the
15 Co-Executrixes are authorized and directed to distribute all
16 of the rest, residue, and remainder of the said Estate, now
17 known or hereafter discovered, including the real property
18 known or hereafter discovered, including the real property
19 commonly known as 1060 Tenabo, Gardnerville, Douglas County,
20 Nevada, and more particularly described as:

21 Lot 5, in Block A, as set forth on the Plat of
22 PINENUT MANOR NO. 1 and 2, filed for record in the
23 office of the County Recorder of Douglas County,
24 Nevada, on June 16, 1980, in Book 680, Page 1351,
25 Document No. 45348.

26 Assessor's Parcel No. 1220-12-710-006

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George M. Keele, Esq.
1692 County Road, #A
Minden, Nevada 89423
Phone: 775-882-6269
Fax: 775-782-2970

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1 pursuant to the First Codicil to Will of Frank W. Bondietti,
2 as follows:

3 To Linda Ann Bondietti and Karen Marie Bondietti
4 (now known as Karen Marie Musgrove), in equal
5 shares, as tenants in common.

6 G. Upon the filing of appropriate receipts, the Co-
7 Executrixes shall be discharged from their trust herein, and
8 this estate shall be then closed.

9 Dated this 4 day of August, 2004.

Michael P. Zito
DISTRICT JUDGE

George M. Keele
George M. Keele, Esq.
Nevada Bar No. 1701
Attorney for Petitioners

CERTIFIED COPY

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

28 DATE: *8/2/04* **SEAL**
Clerk of the 6th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

By *Deputy* Deputy

George M. Keele, Esq.
1692 County Road, #A
Minden, Nevada 89423
Phone: 775-882-6269
Fax: 775-782-2970

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