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DOC # 0635765
02/01/2005 03:23 PM Deputy: KLJ
OFFICIAL RECORD
Requested By:
GEORGE KEELE

Assessor's Parcel Number: _____

Recording Requested By:

Name: George Keele

Address: 1692 County Road #A

City/State/Zip MINDEN, NV 89423

Real Property Transfer Tax: _____

Douglas County - NV
Werner Christen - Recorder
Page: 1 of 7 Fee: 20.00
BK-0205 PG- 340 RPTT: 0.00



Order
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

This cover page must be typed or legibly hand printed.

1 Case No. 03-PB-0074

2 Dept. I

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2005 FEB -1 PM 1:39

FEB 01 2005

DOUGLAS COUNTY
DISTRICT COURT CLERK

BARBARA REED
CLERK
BY **B. PHENIX** DEPUTY

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

9
10 IN THE MATTER OF THE ESTATE

11 OF

**ORDER FOR
PARTIAL DISTRIBUTION OF ESTATE**

12 SONIA DEHART,

13 Deceased.
14

15
16 THIS CAUSE comes before the above-entitled Court on the
17 Petition for Partial Distribution of Estate and the
18 Stipulation and Waiver filed herein. After reviewing all of
19 the pleadings, documents, and records on file herein, the
20 Court finds as follows:

21 Section 151.010 of Nevada Revised Statutes ("NRS") reads
22 as follows:

23
24 1. At any time after the lapse of 3 months
25 from the issuing of letters, the personal
26 representative or any heir or devisee, or the
27 assignee, grantee or successor in interest of any
28 heir or devisee, may petition the court to
distribute a share of the estate, or any portion
thereof, to any person entitled thereto, upon the
person giving a bond, with approved security, for

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



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the payment of the person's proportion of the debts of the estate.

2. The court may dispense with a bond if it is made to appear that the bond is unnecessary.

ROBERT COCHRAN, more than 20 years ago, upon the invitation and with the approbation of the decedent, took constructive possession of the parcel of real property in Genoa, Douglas County, Nevada, described as Assessor's Parcel Number 1319-09-702-051, and more specifically identified on Exhibit A attached hereto and incorporated herein by this reference. Among other things, he went so far as to incur the expense of drilling and equipping a well on the parcel with the ultimate intention of constructing a single-family residence thereon. For the balance of the decedent's life, following the construction of the referenced improvements by Robert Cochran on the Exhibit A parcel that the decedent often referred to as the "south lot," the decedent and her children generally regarded the south lot as belonging to Robert Cochran.

Presently, the south lot is the subject of both an appraisal and an offer to purchase. If the transactions pending in the exchange of this parcel are not essentially completed during the month of January 2005, the property will need to be reappraised, and the transactions may fail.

George M. Keele, Esq.
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1 Inasmuch as the Executrix and each of the decedent's
2 heirs has stipulated to allow the Court to order the partial
3 distribution of the referenced parcel to Robert Cochran, and
4 because each of the said individuals has also waived
5 statutory notice of hearing in this matter, thereby allowing
6 the Court to shorten the time to make its decision and to
7 enter the requested Order, the Executrix has represented to
8 the Court that consistent with the provisions of Section
9 151.010 et seq. of NRS, the Court may immediately conduct a
10 hearing and enter an Order of partial distribution that
11 conforms with the prayer of the Petition.
12
13

14 Because the prospective distributee, Robert Cochran, has
15 effectively been the beneficial owner of the parcel for many
16 years with the full knowledge and approval of the decedent
17 and of her other heirs, it is appropriate, pursuant to
18 subsection 2 of NRS 151.010, for the Court to dispense with
19 the bond, it being unnecessary.
20

21 The estate has little debt. The share of the "party
22 petitioning" (i.e. Robert Cochran through the undersigned
23 Executrix) may be allowed without injury to the creditors of
24 the estate. And the costs of the partial distribution will be
25 covered by the partial distributee (considering that there is
26 an agreement that attorney's fees will be capped at \$10,000
27 in these proceedings; therefore, the only costs of substance
28

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1 are those involved with certified mailings, copies, recording
2 either the Order of partial distribution or the Executrix's
3 Deed, and the like.)

4
5 Good cause appearing therefor, IT IS HEREBY ORDERED as
6 follows:

7 A. The parcel of real property commonly known as the
8 "south lot" and more particularly described on Exhibit A
9 attached hereto is hereby distributed to Robert Cochran,
10 pursuant to the Second Codicil to Will of Sonia Dehart.

11
12 B. The Executrix is authorized to convey said parcel
13 of real property from the Estate to Robert Cochran as his
14 sole and separate property.

15 C. The costs associated with this distribution shall
16 not exceed \$100 and shall be borne by the distributee, Robert
17 Cochran.

18
19 D. If there is any deficiency in funds with which to
20 pay creditors or administrative claims, Robert Cochran shall
21 bear and pay his proportionate share of such expenses, as set
22 forth in NRS 151.010 et seq.

23
24 DATED this 1 day of January, 2005.

George M. Keele
James A. Smith

25
26 _____
DISTRICT JUDGE

27 Submitted by:
28 GEORGE M. KEELE, ESQ.
Nevada Bar No. 1701
Attorney for the Executrix

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

EXHIBIT A
LEGAL DESCRIPTION OF APN 1319-09-702-051

A parcel of land located within a portion of the North one-half of the Southeast one-quarter of Section 9, Township 13 North, Range 19 East, MDM, Douglas County, Nevada, being more particularly described as follows:

BEGINNING at a point on the Westerly line of Genoa Street being the Northeast corner of the C. Rex and Alice Cleary Parcel as shown on the Record of Survey to Support a Boundary Line Adjustment for C. Rex and Alice Cleary and David and Arlene Cochran, Document No. 476866 of the Douglas County Recorder's Office, said point bears N. 28°08'46" E., 389.33 feet from the Southeast one-sixteenth corner of said Section 9 being an aluminum cap stamped PLS 3209 also as shown on said Record of Survey;

thence S. 89°47'37" W., along the Northerly line of said C. Rex and Alice Cleary Parcel, 334.35 feet to the Northwest corner thereof;

thence N. 18°27'05" E., along the Westerly line of the Sonia DeHart and Robert Cochran Parcel of said Record of Survey, 23.97 feet to a 1/2" iron pipe;

thence N. 08°13'27" E., continuing along said Westerly line, 52.86 feet;

thence N. 89°47'37" E., 316.13 feet to a point on the Westerly line of Genoa Street;

thence S. 02°20'33" E., along said Westerly line of Genoa Street, 75.05 feet to the **POINT OF BEGINNING.**

Containing 24,281 square feet more or less.

Basis Of Bearing

The Northerly line of the C. Rex and Alice Cleary Parcel as shown on the Record of Survey to Support a Boundary Line Adjustment for C. Rex and Alice Cleary and David and Arlene Cochran, Document No. 476866 of the Douglas County Recorder's Office (N. 89°47'37"E.-)



COPY

SEAL


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: February 1, 2005

Clerk of the 5th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

By [Signature] Deputy

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