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OFFICIAL RECORD

Requested By:  
CROWELL SUSICH OWEN &  
TACKERS

Douglas County - NV  
Werner Christen - Recorder

Page: 1 Of 5 Fee: 18.00  
BK-0405 PG- 5334 RPTT: 0.00



APN# 1319-15-000-015

Recording Requested by:  
Name: John W. Griffin, Esq.

Address: 510 W Fourth St

City/State/Zip: Carson City NV 89703

Order Approving First and Final Account  
(Title of Document)

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

1 Case No. 00-01403P

REC'D & FILED

2 Dept. No. II

05 APR 12 A8 37

ALAN GLOVER  
CLERK

~~W. ROMESBURG~~  
DEPUTY

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5  
6 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR CARSON CITY

8  
9 In the Matter of the  
10 ESTATE OF DON LEE KAYSER,

**ORDER APPROVING FIRST AND  
FINAL ACCOUNT, PETITION FOR DISTRI-  
BUTION, APPLICATION AUTHORIZING  
PAYMENT OF EXECUTOR'S FEES AND  
COSTS, ATTORNEY'S FEES AND COSTS,  
PETITION FOR CONFIRMATION OF SALE  
OF PERSONAL PROPERTY AND PETITION  
FOR FINAL DISTRIBUTION**

11  
12 Deceased.

13  
14 The First and Final Account, Petition for Distribution, Application authorizing Payment  
15 of Executor's Fees and Costs, Attorney's Fees and Costs, Petition for Confirmation of Sale of  
16 Personal Property and Petition for Final Distribution, coming on regularly before this Court on  
17 the 12th day of April, 2005; proper notice having been given to all parties; the Court being fully  
18 advise in the premises; and good cause appearing therefor,

19 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the First and Final  
20 Account and Report of Executor of Petitioner, DAVID KAYSER, Executor of the Estate of  
21 DON LEE KAYSER, Deceased, be, and the same hereby is, SETTLED, ALLOWED, and  
22 APPROVED.

23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that reimbursement to  
24 Petitioner, DAVID KAYSER, for expenses of Decedent's final illness, funeral expenses, medical  
25 bills, rent, utilities and miscellaneous out of pocket expenses, in the amount of \$8,810.22 be  
26 approved, allowed and paid.

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the time share interest  
2 at David Walley's Resort, situated in the County of Douglas, State of Nevada, and more  
3 particularly described as:

4 A timeshare estate comprised of an undivided interest as tenants in common  
5 in and to that certain real property and improvements as follows:

6 An undivided 1/3978th interest in and to all that real property situate in the  
7 County of Douglas, State of Nevada, described as follows:

8 PARCEL E-1 of the Final Subdivision May LDA #98.05 for DAVID  
9 WALLEY'S RESORT, a Commercial Subdivision, filed for record with the  
10 Douglas County Recorder on October 19, 2000, in Book 1000, at page 3464,  
11 as Document No. 501638, and by Certificate of Amendment recorded  
12 November 3, 2000, in Book 1100, Page 467, as Document No. 502689,  
13 Official Records of Douglas County, Nevada.

14 Together with a permanent non-exclusive easement for utilities and  
15 Access, for the benefit of Parcel E-1, as set forth in Quitclaim Deed  
16 recorded September 17, 1998, in Book 998, Page 3250 as Document  
17 No. 449574, Official Records, Douglas County, Nevada.

18 Together with those easements appurtenant thereto and such easements  
19 and use rights described in the Declaration of Time Share Covenants,  
20 Conditions and Restrictions for David Walley's Resort recorded  
21 September 23, 1998, as Document No. 0449993, and as amended by  
22 Document Nos. 0466255, 0485265, 0489959, 0509920 and 0521436,  
23 and subject to said Declaration; with the exclusive right to use said interest  
24 for one Use Period within a STANDARD UNIT every other year in  
25 odd-numbered years in accordance with said Declaration.

26 A Portion of APN 1319-15-000-015

27 be, and the same hereby is, set aside to DAVID KAYSER and DIAN STEPHENS, ech to  
28 take an interest of \$1,600.00 in the time share as a portion of their estate; and a Deed transferring  
the same shall be executed by the Executor herein.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the  
Executor's fees in the amount of \$4,838.33, be paid to the Executor.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that extraordinary fees in  
the amount of \$1,200.00 be paid to the Executor for extraordinary services rendered by him.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that attorney's fees in the  
amount of 6,907.50 and costs in the amount of \$722.30 for services rendered to the estate be paid

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1 by the Executor herein, after deducting payments previously made on this account, for a balance  
2 due of \$2,324.50

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the sale of the 1979  
4 Van Dyke mobile home is hereby confirmed.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the sale of mutual  
6 fund account number [REDACTED]-007 and mutual fund account number [REDACTED]077, are  
7 hereby confirmed.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the final distribution  
9 of the assets of the Estate, after reimbursement of expenses, executor's fees and costs, attorney's  
10 fees and costs, be made to Decedent's named beneficiaries, namely,

11 To DIAN STEVENS, THIRTY PERCENT (30%) of the estate  
12 To DON LEE KAYSER, THIRTY PERCENT (30%) of the estate  
13 To DAVID KAYSER, THIRTY PERCENT (30%) of the estate  
14 To STEVEN KAYSER, TEN PERCENT (10%) of the estate

15 and the same is RATIFIED and APPROVED by this Court.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any other assets  
17 received by the Executor, DAVID KAYSER, as well as any and all assets that may be  
18 discovered or acquired after the date hereof and after the date of the final decree of distribution  
19 be distributed outright to the Decedents's above-named beneficiaries, in their prorata shares.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that following distribution  
21 as set forth hereinabove, and upon filing appropriate receipts, said Executor, DAVID KAYSER,  
22 may be discharged of his trust and said Estate be closed.

23 DONE IN OPEN COURT this 5<sup>th</sup> day of April, 2005.

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SUBMITTED BY:  
JOHN W. GRIFFIN, ESQ.  
Nevada Bar No. 6661  
510 West Fourth St.  
Carson City, NV 89703  
(775) 882-1311

  
DISTRICT JUDGE



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: April 12, 2005

ALAN GLOVER, City Clerk and Clerk of the First Judicial District Court and the State of Nevada, in and for Carson City

By: [Signature] Deput.

