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Requested By:
ALLISON MACKENZIE ET AL

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Douglas County - NV
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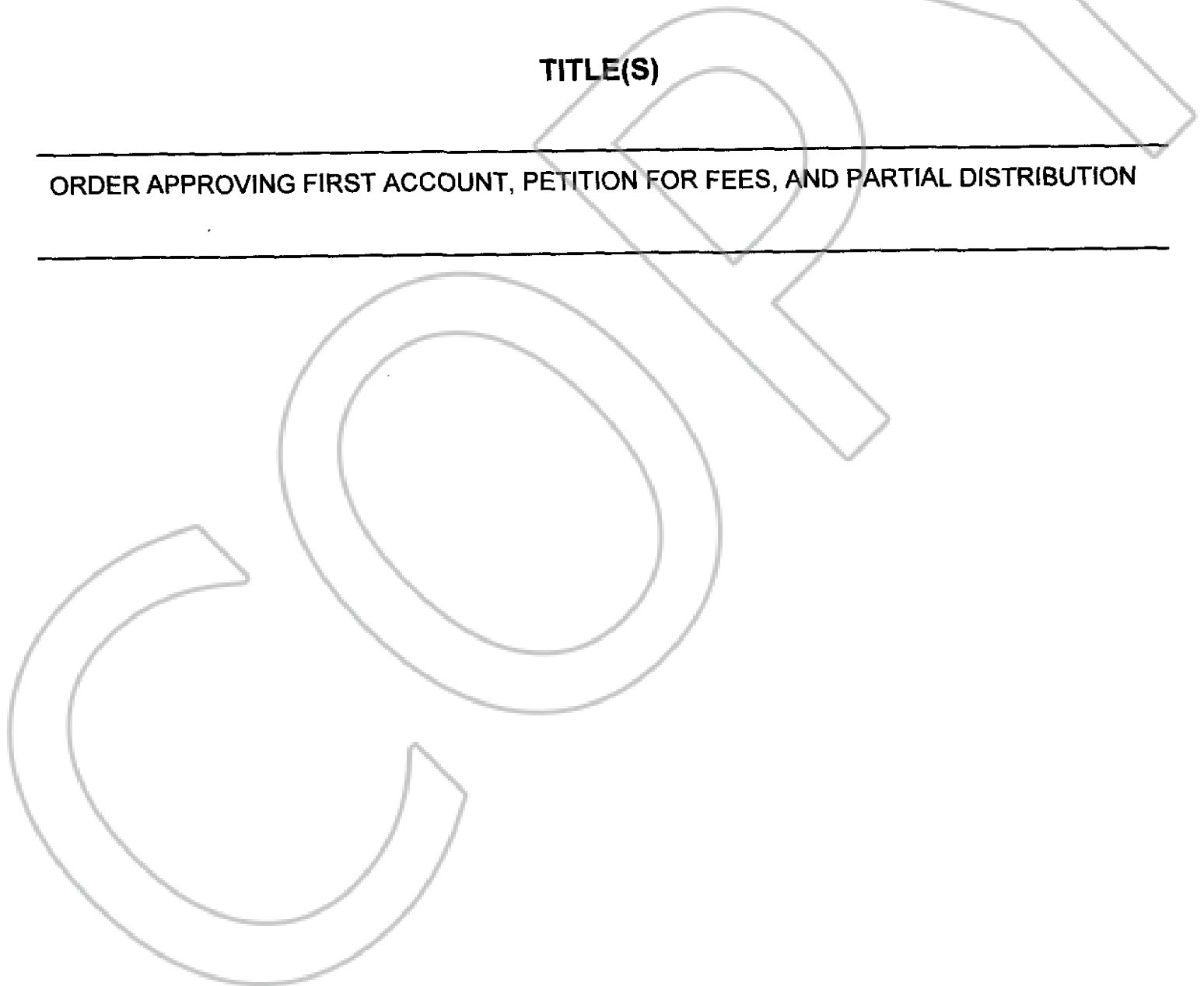
WHEN RECORDED MAIL TO

NAME ✓ Andrew MacKenzie, Esq.
MAILING ADDRESS P. O. Box 646
CITY, STATE ZIP CODE Carson City, NV 89702

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TITLE(S)

ORDER APPROVING FIRST ACCOUNT, PETITION FOR FEES, AND PARTIAL DISTRIBUTION



ALLISON, MacKENZIE, RUSSELL, PAVLAKIS, WRIGHT & FAGAN, LTD.
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1 Case No. 04-00662P
2 Dept. No. II

REC'D & FILED

05 JUN 14 08:34

ALAN GLOVER
BY **C. FRANZ** CLERK

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

9 IN THE MATTER OF THE ESTATE

ORDER APPROVING FIRST ACCOUNT,
PETITION FOR FEES, AND
PARTIAL DISTRIBUTION

11 OF
12 ROSS JOSEPH COVINA,
13 Deceased.

14 DAVID ROSS COVINA and STEVEN HEBERT, by and through their attorneys,
15 ALLISON, MacKENZIE, RUSSELL, PAVLAKIS, WRIGHT & FAGAN, LTD., having filed with
16 the Court a First Account, Petition for Fees, and Partial Distribution, and a hearing thereon having
17 been had in open Court, due notice of which was proved; and no person objecting; and the Court
18 having reviewed the evidence, read the papers, and considered the matter; and it appearing:

19 I.
20 DECEDENT

21 That ROSS JOSEPH COVINA, hereinafter called decedent, died on or about April
22 1, 2004, being at the time of his death a resident of Carson City, state of Nevada, leaving certain real
23 and personal property situate or located in the state of Nevada.

24 II.
25 LAST WILL AND TESTAMENT

26 That decedent died intestate.

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1 III.

2 APPOINTMENT OF CO-ADMINISTRATORS

3 That on June 8, 2004, this Court, following a hearing on a Petition for Appointment
4 of Co-Administrators of Estate and Issuance of Letters of Administration, duly filed and lawfully
5 noticed, granted administration herein, and appointed petitioners, DAVID ROSS COVINA and
6 STEVEN HEBERT, Co-Administrators of decedent's estate, upon their qualifying, and they qualified
7 on the same date, and Letters of Administration were issued, and ever since they have been, and now
8 are, the duly qualified and acting Co-Administrators of the estate of decedent.

9 IV.

10 NOTICE TO CREDITORS

11 That on August 9, 2004, petitioners caused first publication of Notice to Creditors of
12 decedent to be made, requiring creditors to present their respective claims within ninety (90) days
13 from date of first publication of Notice to Creditors; and that publication was made in THE
14 NEVADA APPEAL, a daily newspaper of general circulation, printed and published in Carson City,
15 state of Nevada, and was made in the time and in the manner required by law; and the time for
16 presenting claims against said estate, as fixed by said Notice to Creditors, has since expired, and that
17 no claims were filed against the estate.

18 That on March 14, 2005, STATE OF NEVADA, DIRECTOR OF THE
19 DEPARTMENT OF HUMAN RESOURCES, was sent a Notice to Creditors via certified mail return
20 receipt, and that the date of delivery was March 15, 2005. That the office of the Director of the
21 Department of Human Resources, did not file a claim against the estate.

22 V.

23 FEDERAL INCOME/ESTATE TAX

24 That the total value of the assets of the estate on the date of death of decedent was
25 such that it was not necessary for the petitioner to file with the INTERNAL REVENUE SERVICE
26 (IRS) a Federal Estate Tax Return, Form 706. That all personal State and Federal Income Tax
27 Returns, for the decedent's estate have been timely filed with the IRS by the petitioners.

28 ///

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VI.

INVENTORY AND APPRAISEMENT

That petitioners filed herein an Inventory and Appraisal, and that the estate of the decedent consists of real and personal property valued at Three Hundred Eighty Four Thousand, Nine Hundred Fifty and 87/100 Dollars (\$384,950.87).

VII.

HEIRS AND NEXT-OF-KIN

That the names, relationships, ages, and addresses of the heirs and next-of-kin of decedent, so far as known to petitioners, are as follows:

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>ADDRESS</u>
DAVID ROSS COVINA	Son	Over 21	417 Cabrillo St. Costa Mesa, CA 92627
KIMBERLEY ANN COVINA	Daughter	Over 21	23652 Hillview Road San Bernardino, CA 92404
ROSS PAUL COVINA	Son	Over 21	16402 Bayshore Ln. Huntington Beach, CA 92649

VIII.

FIRST ACCOUNT

That attached as Exhibit "A" to the First Account, Petition For Fees, and Partial Distribution, and made a part thereof is petitioner's First Account of the Estate of ROSS JOSEPH COVINA, deceased.

IX.

CO-ADMINISTRATORS' SERVICES RENDERED

That the petitioners have rendered services as Co-Administrators of the Estate of ROSS JOSEPH COVINA, deceased, as more fully described in Exhibit "A" attached to said Petition and made a part thereof and incorporated therein by this reference, as follows:

1. Collected and credited all income due the estate.
2. Paid various expenditures and administrative expenses and completed various security transactions.



1 3. The accounting attached hereto shows a detailed listing of assets of this estate
2 which had a date of death value of Three Hundred Eighty Four Thousand Nine Hundred Fifty and
3 87/100 Dollars (\$384,950.87).

4 X.

5 CO-ADMINISTRATOR'S FEES

6 That the petitioners, DAVID ROSS COVINA and STEVEN HEBERT, have rendered
7 services as Co-Administrators of the Estate of ROSS JOSEPH COVINA, deceased, and waive the
8 payment of fees for their services to the estate.

9 XI.

10 ATTORNEYS' FEES

11 That petitioners engaged the services of the Law Office of Charles E. Weller as
12 attorney for petitioners and said firm has rendered such ordinary services as itemized in said Invoice
13 for Services dated December 30, 2004 attached hereto as Exhibit "B". Said firm is entitled to
14 reasonable compensation therefore, and petitioners and said attorney have agreed that the sum of One
15 Thousand Eight Hundred Forty and No/100 Dollars (\$1,840.00) is a fair and reasonable
16 compensation for these services plus costs advance in the amount of Five Hundred Ninety Four and
17 44/100 Dollars (\$594.44) and hereby request this Court to approve the total amount of Two
18 Thousand Four Hundred Thirty Four and 44/100Dollars (\$2,434.44). That Charles E. Weller, Esq.
19 withdrew as attorney of record for petitioners.

20 That the petitioners engaged the services of ALLISON, MacKENZIE, RUSSELL,
21 PAVLAKIS, WRIGHT & FAGAN, LTD. as attorneys for petitioners and said firm has rendered such
22 ordinary services as itemized in the Application for Attorneys's Fees on file herein, and is entitled
23 to reasonable compensation therefore, and petitioners and said attorneys have agreed that the sum
24 of Two Thousand Four Hundred Fifty and No/100 Dollars (\$2,450.00) is a fair and reasonable
25 compensation for these services and hereby request this Court to approve said amount.

26 XII.

27 ATTORNEYS' COSTS

28 That in addition, said attorneys are entitled to be reimbursed from the estate for costs

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1 and expenses advanced in the amount of Five and No/100 Dollars (\$5.00) as itemized in the
2 Application for Attorneys' Fees on file herein.

3 XIII.

4 ANCILLARY PROBATES

5 That ancillary probates have been established in the states of Arizona and California
6 for the administration of real property assets owned by the decedent in said states.

7 XIV.

8 DISTRIBUTION OF REAL PROPERTY

9 That the decedent owned real property in the state of Nevada, county of Douglas,
10 located at 1020 Haystack Drive, Carson City, Nevada 89705, and more particularly described as Lot
11 1, Block I, Sunridge Heights Phase 4, being Assessor's Parcel Number 1420-08-211-008. Said real
12 property shall be distributed to DAVID ROSS COVINA, KIMBERLY ANN COVINA, and ROSS
13 PAUL COVINA, the children and beneficiaries of the decedent, in equal shares, as tenants in
14 common.

15 XV.

16 PARTIAL DISTRIBUTION OF RESIDUAL ESTATE

17 That the estate is now ready and in a condition to be partially distributed and the
18 petitioners request that the estate not be closed until the ancillary probates in the states of Arizona
19 and California are concluded and that the petitioners be authorized to retain the sum of \$7,500.00,
20 to defray the estates closing costs.

21 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
22 as follows:

23 1. That the First Account and Partial Distribution filed herein by DAVID ROSS
24 COVINA and STEVEN HEBERT, as Co-Administrators of the Estate of ROSS JOSEPH COVINA,
25 deceased, is settled, approved, allowed and confirmed;

26 2. That the Co-Administrators are authorized and directed to retain in the estate
27 account the sum of \$7,500.00 for expenses of closing the estate when the ancillary proceedings are
28 concluded;

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1 3. It is acknowledged and confirmed that the Co-Administrators waive the
2 payment of fees for their services to the estate;

3 4. That the Co-Administrators are authorized and directed to pay an attorneys'
4 fee to CHARLES E. WELLER in the amount of Two Thousand Four Hundred Thirty Four and
5 44/100 Dollars (\$2,434.44) as a reasonable attorneys' fee and costs for ordinary services rendered
6 to the Co-Administrators during the probate of the above-entitled estate;

7 5. That the Co-Administrators are authorized and directed to pay an attorneys'
8 fee to ALLISON, MacKENZIE, RUSSELL, PAVLAKIS, WRIGHT & FAGAN, LTD., in the
9 amount of Two Thousand Four Hundred Fifty and No/100 Dollars (\$2,450.00) as a reasonable
10 attorneys' fee for ordinary services rendered to the Co-Administrators during the probate of the
11 above-entitled estate and Five and No/100 Dollars (\$5.00) for costs advanced;

12 6. That the Co-Administrators are authorized and directed to distribute the
13 balance of the estate assets, to include the real property described in paragraph XV, and more
14 particularly described as Lot 1, Block I, Sunridge Heights Phase 4, Douglas County, Nevada, being
15 Assessor's Parcel Number 1420-08-211-008, together with the estate of the decedent, now known
16 or hereafter discovered less the amount retained for closing the estate in equal shares to DAVID
17 ROSS COVINA, KIMBERLEY ANN COVINA and ROSS PAUL COVINA, the children of the
18 decedent, pursuant to NRS 134.090, intestate succession.

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1 7. That the Co-Administrators are authorized and directed to do all the things
2 necessary and properly to effectuate the distributions.

3 DONE IN OPEN COURT June 14, 2005.

4 William C. Medda
5
6 DISTRICT JUDGE

7 Submitted by:

8 ALLISON, MacKENZIE, RUSSELL,
9 PAVLAKIS, WRIGHT & FAGAN, LTD.
10 P.O. Box 646
11 402 North Division Street
12 Carson City, NV 89702

13 By: Andrew Mackenzie
14 ANDREW MacKENZIE, ESQ.
15 Attorneys for Petitioner
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PG- 6380
06/15/2005

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: 6/13/05
ALAN GLOVER, City Clerk and Clerk of the First Judicial District Court and the State of Nevada, in and for Carson City

By: [Signature] Deputy