

OFFICIAL RECORD

Requested By:  
STEWART TITLE

Douglas County - NV  
Werner Christen - Recorder

Page: 1 Of 5 Fee: 18.00  
BK-0605 PG-10356 RPTT: 0.00



APN (portion) 1318-15-714-028

Recording Requested By:

Stewart Title of Douglas County

1663 US Highway 395 N, Ste. 101

Minden, NV 89423

05020464

ORDER APPROVING FIRST AND FINAL ACCOUNT, REPORT OF  
ADMINISTRATOR, PETITION FOR ALLOWANCE OF ATTORNEY'S  
~~FEES AND COSTS, FOR FINAL DISTRIBUTION AND FINAL DISCHARGE~~

(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.

FILED

1 CASE NO. 04 PB-0052  
0300460P

2 DEPT. NO. II

RECEIVED

2005 MAY -9 PM 1:40

MAY 09 2005

BARBARA REED  
CLERK

DOUGLAS COUNTY

BY B. PHENIX

3  
4  
5  
6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF DOUGLAS  
8

9 In The Matter of The Estate  
10 Of  
11 PATRICIA CAROLE MACKEN,  
12 also known as CAROLE P. MACKEN  
13 Deceased.

ORDER APPROVING FIRST AND  
FINAL  
ACCOUNT, REPORT OF  
ADMINISTRATOR, PETITION FOR  
ALLOWANCE OF ATTORNEY'S FEES  
AND COSTS, FOR FINAL  
DISTRIBUTION  
AND FOR FINAL DISCHARGE

14 NANCY REY JACKSON, Petitioner of the above-entitled estate, having filed her verified  
15 First and Final Account, Report of Adminitrator, Petition for Allowance of Attorney's Fees and  
16 Costs, For Final Distribution and For Final Discharge, and the same coming on regularly for hearing  
17 this 7<sup>th</sup> day of May , 2005, before the above-entitled Court. The Court having reviewed the First and  
18 Final Account, Report of Administrator, Petition For Settlement Thereof, for Allowance of  
19 Attorney's Fees and For Final Distribution and for Final Discharge, finds that due notice has been  
20 given in conformity with law and that the beneficiaries of decedent's estate, her two daughters, have  
21 received due notice of this hearing as required by law; that this Court being fully advised in the  
22 premises, further finds:

- 23
- 24 1. All allegations contained in the First and Final Account, Report of Executor, Petition  
25 For Allowance of Attorney's Fees and Costs, For Final Distribution And For Final Discharge are  
26 true.
  - 27 2. The Decedent, CAROLE P. MACKEN, died intestate on September 28, 2002, in  
28 Douglas County, Nevada and was at the time of her death a resident of Douglas County.
  3. On June 21, 2004, this Court entered its Order Approving Petition for Administration

1 of Estate and for Issuance of Letters of Administration and appointing Nancy Rey Jackson  
2 Administrator of the estate as the request of the decedent's heirs.

3 4. Petitioner took the statutory oath of office as administrator and Letters of  
4 Administration were filed with this Court on June 21, 2004. The Letters have not been revoked.

5 5. Petitioner published the Notice to Creditors as required by NRS 147.010 and NRS  
6 155.020, with any known creditors also notified by mail, pursuant to law.

7 6. Petitioner has diligently made inquiry as to the existence of any creditor's claims and  
8 that only one claim has been filed. The one creditor's claim, filed by the treasurer of the home  
9 owners' association to which the decedent belonged. The claim should be paid.

10 7. The statutory time period has run within which any further creditors can file claims.

11 8. There are no federal taxes due or payable on account of this Nevada estate proceeding.  
12 The decedent owed income taxes for the tax years 2002 and 2003. Those taxes have been paid.

13 9. The administrator has heretofore paid from the decedent's accounts various  
14 obligations of the estate including the real property taxes which had been and remained delinquent at  
15 the inception of the probate proceeding. She has also distributed some monies to the heirs by leave of  
16 court.

17 *Exhibit B*, being the detailed expenses incurred herein, is attached to the within First and Final  
18 Account and is incorporated herein by reference as if set forth herein verbatim.

19 10. The home of the decedent remains unsold at the heirs' request. They desire that title be  
20 transferred to them as tenants in common. The Court confirms and approves the heirs' decision.

21 11. The heirs engaged attorney Nancy Rey Jackson of the law firm of Nancy Rey Jackson,  
22 Ltd. to render the legal services necessary to the administration of the estate and Nancy Rey Jackson  
23 has performed all necessary and ordinary services on behalf of the estate, acting in the capacity of  
24 administrator as well as attorney for the estate. The administrator has also performed extraordinary  
25 services, some of which are set forth in the First and Final Account.

26 12. The net value of this estate is Four Hundred Thirty One Thousand Four Hundred  
27 Twenty Two Dollars and Fifty One Cents (\$431,422.51). There are also two savings accounts in the  
28 names of the decedent and her two grandsons, Anthony J. Halton and Brandon Macken, respectively.

1           13.    An agreement exists between Attorney Jackson and the heirs that attorney's fees will  
2 be based at Two Hundred and Twenty-Five Dollars (\$225) per hour. She waived her fees as  
3 administrator of the estate. The fees and costs incurred during the period of administration were  
4 \$14,312.91.

5           14.    Distribution, as mandated by the Nevada Revised Statutes, should be ordered, with the  
6 entire estate to be distributed to decedent's daughters, KIMBERLEY MACKEN and DIANNA  
7 MACKEN, with the assets recited in the order below.

8           THIS COURT finds good cause for the approval of said First and Final Account, Report of  
9 Administrator, Allowance of Attorney's Fees and Costs, For Distribution and For Final Discharge.

10           NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

11           1.    The First and Final Account, Report of Administrator, Allowance of Attorney's Fees  
12 and Costs, For Distribution and For Final Discharge is hereby settled, approved and confirmed.

13           2.    All acts and transactions of the Administrator relating to matters set forth in the  
14 Account, Report and Petition are confirmed and approved.

15           3.    Petitioner, Nancy Rey Jackson, shall immediately pay the two remaining outstanding  
16 obligations of the estate.

17           4.    Petitioner's payments of obligations outstanding at the decedent's death and incurred  
18 during the period of administration are hereby ratified, confirmed and approved. The administrator is  
19 authorized to retain the sum of \$750 to cover the remaining closing costs and expenses associated  
20 with the closing of the estate. Any amount left after the expenses are met shall be refunded to the  
21 heirs in equal shares.

22           5.    The administration of this estate is brought to a close, subject to the administrator's  
23 filing with this Court appropriate receipts.

24           6.    The administrator is directed to pay the law firm of Nancy Rey Jackson, Ltd., as and  
25 for attorney's fees, the sum of \$14,312.91, such sums including the costs incurred by said law firm.

26           7.    Immediately after the administrator's payment of all attorneys' fees and costs, together  
27 with any other costs of administration of this estate, the entire net estate, being the rest, residue and  
28 remainder of said estate in the possession of the administrator consisting of the following, or its



1 remainder of said estate in the possession of the administrator consisting of the following, or its  
2 present values, shall be distributed to the two heirs Kimberley Macken and Dianna Macken:

3 a. Wells Fargo Bank, Estate of Carole P. Macken Account No. 6579190627,  
4 located in Minden, Nevada;

5 b. Wells Fargo Bank, Account Number [REDACTED] in the names of Anthony J.  
6 Halton and Carole P. Macken;

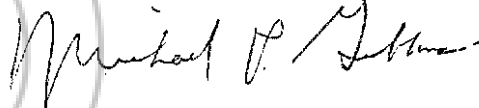
7 c. Wells Fargo Bank, Account Number [REDACTED] in the names of Brandon  
8 Macken and Carole P. Macken;

9 Wells Fargo Bank is directed to transfer account number [REDACTED] to the names of  
10 Anthony J. Halton and Kimberley Macken; Account number 2 [REDACTED] shall be transferred to the  
11 names of Brandon Macken and Dianna Macken.

12 d. Real property located at 200 Silver, Zephyr Cove, Nevada to the heirs as  
13 tenants in common.

14 8. For the closure of the Estate and discharge of Petitioner, upon Petitioner's filing with  
15 the Court the necessary receipts and, if applicable, transfer documents.

16 DATED this 9 day of May, 2005.

17  
18 

19  
20 DISTRICT JUDGE

21 Submitted By:

22 Nancy Rey Jackson, Esq.  
23 State Bar #03648  
24 159 Mono Avenue  
25 Minden, NV 89423  
26 (775) 782-4611  
27 Attorney for the estate  
28

**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: May 9, 2005  
Clerk of the 1<sup>st</sup> Judicial District Court  
of the State of Nevada, In and for the County of Douglas,

By [Signature] Deputy

**SELL**

