

241  
①

DOC # 0665627  
01/12/2006 12:15 PM Deputy: PK  
OFFICIAL RECORD  
Requested By:  
GEORGE M KEELE ESQ

Assessor's Parcel Number: 1220-04-510-022

Recording Requested By:

Name: George M. Keele, Esq

Address: 1692 County Rd, #A

City/State/Zip Minden, NV 89423.

Real Property Transfer Tax: \_\_\_\_\_

Douglas County - NV  
Werner Christen - Recorder  
Page: 1 Of 11 Fee: 24.00  
BK-0106 PG-04314 RPTT: # 0



Order Settling 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)

*This cover page must be typed or legibly hand printed.*

C:\bc docs\Cover page for recording

13  
①

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case No. 05-PB-0085

Dept. No. I

**RECEIVED**

2006 JAN 10 PM 1:36

JAN 10 2006

DOUGLAS COUNTY  
DISTRICT COURT CLERK

K. WILFERT

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  
EDNA MAE ANDERSON,  
Deceased.

**ORDER SETTLING FIRST AND  
FINAL ACCOUNT,  
PAYMENT OF  
ATTORNEY'S FEES AND COSTS,  
AND DECREE OF FINAL  
DISTRIBUTION**

KENNETH BUDD DRESSLER, as Executor of the estate of EDNA MAE ANDERSON, deceased, having filed herein on the 20<sup>th</sup> day of December, 2005, his First and Final Account and Petition for Fees and for Final Distribution, and the said account and petition having come on regularly to be heard this 10<sup>th</sup> day of January, 2006, and proof having been made to the satisfaction of the Court that proper notice has been given in this matter, the Court finds:

1. EDNA MAE ANDERSON ("the decedent") died on the 9<sup>th</sup> day of August, 2005, in Douglas County, Nevada. At the time of her death, the decedent was a resident of the County of Douglas, State of Nevada.

2. Said decedent died testate, and on the 20<sup>th</sup> day of September, 2005, Letters Testamentary were issued to

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



1 Petitioner, whereupon this Petitioner was duly and regularly  
2 appointed and qualified as the Executor of the decedent's  
3 estate and Petitioner has since that date acted as such  
4 Executor.

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

7 4. Immediately after Letters Testamentary were issued to  
8 Petitioner in this estate, Petitioner caused to be duly  
9 published a Notice to Creditors as required by NRS 147.010; an  
10 Affidavit of Publication of such notice has been filed herein;  
11 and the time for presentation of claims against the estate  
12 expired on December 20, 2005, ninety (90) days after the first  
13 publication of said notice. No claims have been presented  
14 against the estate for payment.

15 5. On December 5, 2005, Petitioner filed herein an  
16 Inventory and Appraisal, setting forth the total value of  
17 the estate at \$287,988.55.

18 6. There is no federal estate tax owing on this estate.

19 7. Attached to the First and Final Account filed herein  
20 on December 20, 2005, was an accounting which set forth the  
21 estate transactions covering the period August 9, 2005, to  
22 December 15, 2005. Said account was prepared by the executor  
23 and his counsel, George M. Keele, Esq., and sets forth the  
24 total amounts of assets, including money, received and expended  
25 by the Executor during the period August 9, 2005, to December  
26 15, 2005.

27  
28

///

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



1           8.    Petitioner, KENNETH BUDD DRESSLER, as Executor of  
2 this estate, has performed services necessary to the  
3 administration of the estate since the death of the decedent,  
4 including marshaling all of the assets of the estate and  
5 inventorying the same, collecting and paying estate debts, and  
6 performing other necessary services in connection with this  
7 estate. For his services as Executor, Petitioner is entitled to  
8 statutory compensation in the amount of \$6,909.77. However,  
9 because there are insufficient liquid funds in the estate, he  
10 has agreed to waive all such fees.

11           9.    Petitioner has incurred reasonable out-of-pocket  
12 expenses, or costs, in the sum of \$4,246.80 which he is  
13 entitled to have reimbursed. Attached as Exhibit A to the First  
14 and Final Account was an itemized list of those expenses.

15           10. The law office of GEORGE M. KEELE, ESQ., has rendered  
16 legal services necessary to the administration of the estate,  
17 including preparing and filing all necessary legal documents,  
18 notices, and pleadings required to date in this estate, and  
19 performing other essential services. The law firm and the  
20 Petitioner herein have agreed that a reasonable fee for the  
21 services so rendered is \$250 per hour, to be paid after  
22 approval thereof by this Court. Executor has approved the  
23 requested fees and costs. From the \$3101.01 surplus of receipts  
24 over disbursements shown on Exhibit A, the Executor has offered  
25 to pay a portion of the attorney's fees payable to the law  
26 firm; and the Executor has offered and agreed to pay the  
27 balance owing to the law firm from the Executor's own funds.  
28

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



1 The law office of GEORGE M. KEELE, ESQ., has advanced the  
2 sum of \$905.53 as unpaid costs in connection with this matter,  
3 and the law firm is entitled to reimbursement for the same.  
4 However, because there are insufficient liquid funds in the  
5 decedent's estate, the Executor has offered and agreed to pay  
6 the balance owing to the law firm from the Executor's own  
7 funds.

8 11. In Article 5 of her Last Will and Testament, the  
9 decedent provided for cash legacies as follows:

10 A. The sum of Ten Thousand Dollars (\$10,000) to Roy  
11 Pearrow. Because there are insufficient liquid funds in  
12 the estate to satisfy this legacy, the Executor has  
13 offered and agreed to create and pay this legacy from the  
14 Executor's own funds.

15 B. The sum of Ten Thousand Dollars (\$10,000) to Art  
16 Pearrow. Because there are insufficient liquid funds in  
17 the estate to satisfy this legacy, the Executor has  
18 offered and agreed to create and pay this legacy from the  
19 Executor's own funds.

20 C. "I give, devise and bequeath the sum of Ten  
21 Thousand Dollars (\$10,000) to Musette E. Gray, absolutely  
22 and in fee simple, if she should survive me; if said  
23 beneficiary shall predecease me, this gift shall lapse."  
24 The Executor has established that Musette E. Gray  
25 predeceased the decedent; therefore, this gift lapses.

26 D. The sum of Five Thousand Dollars (\$5,000) to  
27 Kenneth Budd Dressler; however, because there is  
28



1           The law office of GEORGE M. KEELE, ESQ., has advanced the  
2 sum of \$905.53 as unpaid costs in connection with this matter,  
3 and the law firm is entitled to reimbursement for the same.  
4 However, because there are insufficient liquid funds in the  
5 decedent's estate, the Executor has offered and agreed to pay  
6 the balance owing to the law firm from the Executor's own  
7 funds.

8           11. In Article 5 of her Last Will and Testament, the  
9 decedent provided for cash legacies as follows:

10           A. The sum of Ten Thousand Dollars (\$10,000) to Roy  
11 Pearrow. Because there are insufficient liquid funds in  
12 the estate to satisfy this legacy, the Executor has  
13 offered and agreed to create and pay this legacy from the  
14 Executor's own funds.

15           B. The sum of Ten Thousand Dollars (\$10,000) to Art  
16 Pearrow. Because there are insufficient liquid funds in  
17 the estate to satisfy this legacy, the Executor has  
18 offered and agreed to create and pay this legacy from the  
19 Executor's own funds.

20           C. "I give, devise and bequeath the sum of Ten  
21 Thousand Dollars (\$10,000) to Musette E. Gray, absolutely  
22 and in fee simple, if she should survive me; if said  
23 beneficiary shall predecease me, this gift shall lapse."  
24 The Executor has established that Musette E. Gray  
25 predeceased the decedent; therefore, this gift lapses.

26           D. The sum of Five Thousand Dollars (\$5,000) to  
27 Kenneth Budd Dressler; however, because there is  
28



1 insufficient liquidity in the estate and because Kenneth  
2 Budd Dressler, as residuary legatee, devisee, and  
3 beneficiary, does not want to liquidate the real property  
4 asset of the estate to satisfy this legacy, Kenneth Budd  
5 Dressler, in his individual capacity, has waived this  
6 legacy.

7 E. "I give, devise and bequeath the sum of Five  
8 Thousand Dollars (\$5,000) to CATHY BUBDA, provided that  
9 she care for my dog LILY, with the same love and attention  
10 as I myself would bestow upon her. In the event that CATHY  
11 BUBDA should for any reason be unable or unwilling to care  
12 for my dog, LILY, or if LILY should predecease me, this  
13 gift shall lapse."  
14

15 The Executor, through counsel, made contact with  
16 Cathy Bubda soon after the passing of the decedent. Ms.  
17 Bubda respectfully declined to accept the dog Lily upon  
18 the conditions established by the decedent/Testatrix in  
19 her Last Will and Testament. And, despite the fact that  
20 Ms. Bubda later appeared to change her mind, the Executor  
21 acted in reliance upon Ms. Bubda's initial declination by  
22 placing the dog with a reliable family, whose 13-year-old  
23 child has provided for the dog, Lily, the kind of care  
24 envisioned by the decedent/Testatrix in Article 5 of her  
25 Last Will and Testament. Therefore, the Executor has  
26 concluded that the dog is now unavailable to be  
27 distributed to Ms. Bubda and that the stipend  
28 conditionally provided for in the decedent's Last Will and





1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Testament is no longer available to be provided to Ms. Bubda to assist in the maintenance of the dog, Lily. For these reasons, Ms. Bubda is "unable . . . to care for . . . LILY . . . ." Therefore, ". . . this gift shall lapse."

12. In Article 6 of her Last Will and Testament, the decedent left the residue of her estate to DONALD CARL GOAD. However, as proven to the Court in the Certificate of Death of Donald Carl Goad filed in this case on October 5, 2005, Donald Carl Goad died on December 31, 2003, thereby predeceasing the decedent. Therefore, as indicated in the next sentence of Article 6 of the decedent's Last Will and Testament, "In the event that I am not survived by DONALD CARL GOAD, I give, devise and bequeath all the rest, residue and remainder of my estate, real, personal and mixed of every kind and nature whatsoever, and wheresoever situated, to my good friend, KENNETH BUDD DRESSLER, absolutely and in fee simple if he should survive me." Thus, the entire residue of the decedent's estate, including the real property located at 1326 Toiyabe Avenue, Gardnerville, Douglas County, Nevada, should be distributed to KENNETH BUDD DRESSLER.

13. No request for special notice has been filed in this estate proceeding except the Request filed herein on September 7, 2005, by Arthur Dail Pearrow, Roy Hestir Pearrow III, and Jon Robert Pearrow, by their attorney, Dawn Ellerbrock, Esq. Ms. Ellerbrock withdrew as counsel on October 21, 2005, and, although the original Request for Notice asked that copies of

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



1 all petitions and accounts filed in this probate matter be sent  
2 only to the **attorney** for Messrs. Pearrow, the Executor has  
3 nevertheless sent copies of the First and Final Account and  
4 Petition for Fees and for Final Distribution to each of the  
5 individuals named in this finding paragraph 13.

6 THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

7 A. The First and Final Account of KENNETH BUDD DRESSLER,  
8 Executor of the estate of EDNA MAE ANDERSON, deceased, be, and  
9 the same is, hereby finally settled, allowed, and approved, and  
10 all actions taken by the Executor in connection with the  
11 administration of this estate as set forth in the account and  
12 petition filed herein on the 20<sup>th</sup> day of December, 2005,  
13 including without limitation his decision referenced in finding  
14 paragraph 11.E, are hereby ratified, approved, and confirmed by  
15 this Court.  
16

17 B. The Executor is hereby authorized and directed to  
18 reimburse GEORGE M. KEELE, ESQ., \$905.53 as costs from the  
19 funds of this estate.

20 C. The statement for attorney's fees attached as Exhibit  
21 B to the First and Final Account in this matter having been  
22 approved as reasonable by the Executor's execution of the  
23 Account, the Executor is hereby authorized and directed to pay  
24 GEORGE M. KEELE, ESQ., attorney's fees in connection with  
25 services rendered to this estate in the amount of \$5,917.50.

26 D. The Executor is hereby authorized and directed to pay  
27 and distribute the legacies mentioned in Finding Paragraphs  
28 11.A and 11.B, specifically: (1) the sum of Ten Thousand

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



1 Dollars (\$10,000) to Roy Pearrow; and (2) the sum of Ten  
2 Thousand Dollars (\$10,000) to Art Pearrow.

3 E. The Executor is further authorized and directed to  
4 pay and distribute the remaining residuary estate, pursuant to  
5 Article 6 of the decedent's Last Will and Testament, including  
6 but not limited to, the parcel of improved real property at  
7 1326 Toiyabe, Gardnerville, Douglas County, Nevada, which  
8 parcel is more particularly described on Exhibit A attached  
9 hereto and incorporated herein by this reference, along with  
10 the entire remaining contents of said home, to KENNETH BUDD  
11 DRESSLER, an unmarried man.

12 F. The Executor is further ordered to comply with each  
13 and every remaining provision of the decedent's Last Will and  
14 Testament.

15 G. The Court retains jurisdiction of this estate until  
16 the same is distributed and closed. Upon the Executor's filing  
17 receipts showing transfer of the property of the estate to the  
18 beneficiaries entitled thereto, a decree of discharge shall be  
19 entered and filed, discharging the Executor from all liability  
20 thereafter to be incurred by him in this proceeding.

21 Dated this 10th day of January, 2006.

22  
23  
24   
25

DISTRICT JUDGE

26  
27 Submitted by:  
28 George M. Keele, Esq.  
Nevada Bar No. 1701  
Attorney for the Executor

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

EXHIBIT A  
LEGAL DESCRIPTION

All that real property situate in the County of Douglas, State of Nevada, more particularly described as follows:

Lot 24, Carson Valley Estates Unit #1 as shown on the map filed in the Office of the County Recorder of Douglas County, Nevada, on July 19, 1965.

Assessor's Parcel No. 1220-04-510-022

**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:

January 10, 2006

B. Reed Clerk of the 9th Judicial District Court of the State of Nevada, in and for the County of Douglas,

By

Kristin Wilson

Deputy

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

