DOC # 0684646 09/18/2006 02:28 PM Deputy: BH OFFICIAL RECORD Requested By: HENRY W CAVALLERA

> Douglas County - NV Werner Christen - Recorder

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A.P.N.

Recording Requested by:

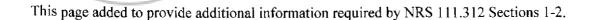
✓ Henry W. Cavallera, Esq.

410 California Avenue

Reno, Nevada 89509

Order Appointing Temporary Guardian of the Person and Estate and Order to Show Cause.

(Title of Document)



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Roman TIN, JR.

IN THE FAMILY DIVISION

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

IN THE MATTER OF THE GUARDIANSHIP OF

MARILYN D. WELLS,

Case No. 00341

Dept. No. 2

An Adult Ward.

ORDER APPOINTING TEMPORARY GUARDIAN OF THE PERSON AND ESTATE AND ORDER TO SHOW CAUSE

THIS MATTER came before the Court upon the Petition of DAVID L. WELLS, by and through his attorney, HENRY W. CAVALLERA, ESQ. of Reno, Nevada, for a Temporary Guardianship of the Person and Estate and for an Order allowing Division of Community Assets and Income and for Support and for Instructions. The Court having reviewed the Petition and the Exhibits thereto finds as follows:

- The proposed Ward is incapable of managing her financial affairs and making those decisions necessary for her care, treatment and well-being.
- 2. The Ward has an estate consisting of her interest in the following:
- Bank of America, Checking Account No. 0002 9009 6593

 Edward Jones, Investment Account No. 892-02772-1-0 \$ 2,054.23

373.00

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Temporary Guardianship should not be extended by the Court until the date of the hearing upon the Petition for Appointment of a Permanent Guardian of the Person and Estate of MARILYN D. WELLS.

This Order for Temporary Guardianship will lapse on the date set for hearing to continue Guardianship unless otherwise

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DISTRICT

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.

4 2006

RONALD A. LONGTHI, JH., Crem of the Second Judicial District Occurt, in magainst the County of Washpa, Sisie of Water in

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resources in a sum of \$92,760.00, or the maximum resource allowance determined by the federal government in the month that Medicaid is applied for on behalf of MARILYN D. WELLS, as his sole and separate property.

- That DAVID L. WELLS's interest of the income and 4. resources of the parties are not to be deemed as currently available for the costs of MARILYN D. WELLS's medical and nursing home care.
- 5. That DAVID L. WELLS, is appointed as sole successor Trustee of The Wells Family Trust, dated November 9, 1994, and as said successor Trustee, is authorized to access any of the accounts held in said Trust.
- That DAVID L. WELLS, as Sole Successor Trustee of The 6. Wells Family Trust, dated November 9, 1994, is authorized and directed to execute a deed conveying the parties' residence located at 1645 Zaldia Drive, Minden, Nevada, and more particularly described as follows:

Lot 3, in Block C, as set forth on the Final Map of MACKLAND UNIT NO. 2 "PHASE A", filed in the Office of the County Recorder of Douglas County, State of Nevada, on August 21, 1989, in Book 889, Page 2804, Douglas County, Nevada, as Document No. 209038.

APN: 25-456-05

- 7. That DAVID L. WELLS is authorized to set up a reserve account for the Ward not to exceed \$2,000 and also to set up a burial account, at his discetion, not to exceed \$1,500.
- IT IS FURTHER ORDERED that unless excused from attendance by order of this Court, the Ward, MARILYN D. WELLS, is to appear before the Court at the time set forth in paragraph 1. above, to show cause, if any she may have, as to why this

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Minden, Nevada, and more particularly described as follows:

Lot 3, in Block C, as set forth on the Final Map of MACKLAND UNIT NO. 2 "PHASE A", filed in the Office of the County Recorder of Douglas County, State of Nevada, on August 21, 1989, in Book 889, Page 2804, Douglas County, Nevada, as Document No. 209038.

APN: 25-456-05

owned under The Wells Family Trust, dated November 9, 1994, out of the Trust and to the Ward and his spouse as community property.

7. That DAVID L. WELLS should be authorized to set up a reserve account for the Ward not to exceed \$2,000, and also at his discretion, to set up a burial account not to exceed \$1,500.

THEREFORE, based upon the foregoing, IT IS HEREBY ORDERED as follows:

- 3. The Community Spouse, DAVID L. WELLS, is temporarily awarded his monthly fixed income of \$2,958.39 per month and

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Edward Jones, IRA Account No. 892-90334-1-6

91,535.00

Total Joint Resources

\$93,962.23

The proposed Ward's income is \$659.92, consisting of \$455.60 from Social Security benefits, and \$57.92 from Hotel and Restaurant Employees Retirement, and \$66.60 in Medicare premium. The proposed Ward's spouse's income is \$2,958.39, consisting of \$966.40 from Social Security benefits, \$1,757.39 per month from MetLife Pension, and \$66.60 in Medicare premium.

- It is in the Ward's best interest that a Temporary Guardian of the Person and Estate of MARILYN D. WELLS be appointed.
- It is in the best interest of the proposed Ward and her spouse that the Court temporarily award to the community spouse his monthly fixed income and set aside a sum of \$92,760.00, or the maximum resource allowance determined by the federal government in the month that Medicaid is applied for on behalf of MARILYN D. WELLS, as a spousal resource allowance.
- That the separate assets and income of DAVID L. WELLS should not be deemed as currently available for the costs of the necessities of life or medical needs of MARILYN D. WELLS.
- That DAVID L. WELLS should be authorized to serve as 6. sole successor Trustee of The Wells Family Trust, dated November 9, 1994, and as said successor Trustee, be authorized to access any of the accounts held in said Trust. Further, that DAVID L. WELLS, as Sole Successor Trustee of The Wells Family Trust, dated November 9, 1994, be authorized and directed to execute a deed conveying the parties' residence located at 1645 Zaldia Drive,