

OFFICIAL RECORD
Requested By:
ALBENCE & ASSOCIATES

Douglas County - NV
Werner Christen - Recorder
Page: 1 of 8 Fee: 21.00
BK-0407 PG- 8148 RPTT: # 7



Assessor's Parcel Number:

1319-30-721-019 PTW
~~0000-42-200-200~~

Recording Requested By:

Name: David S. Pawlowski
Address: 7777 Fay Ave Suite 205
City/State/Zip: La Jolla, CA 92037

Mail Tax Statements to:

Name: Betty L. ausen
Address: 62 Vista Way
City/State/Zip: Chula Vista, CA 91910

Please complete Affirmation Statement below:

I the undersigned hereby affirm that this document submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

-OR-

I the undersigned hereby affirm that this document submitted for recording contains the social security number of a person or persons as required by law: _____ (state specific law)

Signature (Print name under signature)
David S. Pawlowski

Attorney
Title

Quitclaim Deed

(Title of Document)

If legal description is a metes & bounds description furnish the following information:

Legal description obtained from: _____ (Document Title), Book: _____ Page: _____
Document # _____ recorded _____ (Date) in the Douglas County Recorders Office.

-OR-

If Surveyor, please provide name and address:

This page added to provide additional information required by NRS 111.312 Sections 1-4.

(Additional recording fees apply)

APN: 0000-42-200-200

Recording requested by:
ALBENCE & ASSOCIATES
Attorneys at Law

When recorded mail to
and mail tax statements to:

Betty L. Ausen
62 Vista Way
Chula Vista CA 91910

QUITCLAIM DEED

(From Trust to Individual)

FOR NO CONSIDERATION AND PER THE ATTACHED COPY OF COURT ORDER attached as Exhibit "A", WAYNE S. AUSEN and BETTY L. AUSEN, Co-Trustees of the AUSEN FAMILY TRUST, UNDER DECLARATION OF TRUST DATED JUNE 25, 1986, do hereby REMISE, RELEASE AND FOREVER QUITCLAIM TO BETTY L. AUSEN, a married woman as her sole and separate property, 62 Vista Way, Chula Vista, CA 91910, the following real property in the County of Douglas, State of Nevada described as follows:

SEE EXHIBIT B ATTACHED HERETO AND INCORPORATED HEREIN

(aka 420 Ridge Club Dr. #98, Stateline, Nevada)

Date: 04-17-07

Betty L. Ausen

BETTY L. AUSEN

Dated: 04-17-07

Betty L. Ausen for
Wayne S. Ausen

BETTY L. AUSEN for

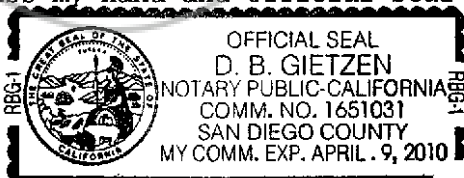
WAYNE S. AUSEN

STATE OF CALIFORNIA)
) SS.
COUNTY OF SAN DIEGO)

On April 17th, 2007, before me,
DB Gietzen, Notary Public for the State of California personally appeared BETTY L. AUSEN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

DB Gietzen
Notary Public



BK- 0407
PG- 8149

1 DAVID S. PAWLOWSKI SB#169909
2 Albence & Associates, APC
3 7777 Fay, Suite 205
4 La Jolla, CA 92037
5 Telephone (858) 454-0024
6 Facsimile (858) 454-1250

7 Attorney for Petitioner,
8 Betty L. Ausen

EXHIBIT A

FILED
Clerk of the Superior Court

FEB 02 2007

By: H. CHAVARIN, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

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In Re:

The WAYNE S. AUSEN MATTER

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) CASE NO: P192101
)
) ORDER ON PETITION FOR ORDER
) AUTHORIZING SPOUSE OF AN
) INCAPACITATED SPOUSE TO
) TRANSMUTE COMMUNITY PROPERTY
) TO SEPARATE PROPERTY
)
)
) Probate Code § 3100 et. seq.

The Petition for Order Authorizing Spouse of Incapacitated Spouse to Transmute Community Property to Separate Property came on for hearing in the above entitled court on January 8, 2007, before the Honorable Judge William J. Kronberger, Jr., Judge Presiding, at 9:30 a.m. Attorney David S. Pawlowski appearing for Petitioner and attorney B. James Brierton appearing as the Guardian Ad Litem for Wayne S. Ausen. The respondent, Wayne S. Ausen was also present. No other parties were present.

Considering the pleadings and papers in the above entitled action, the Court finds that:

1. The assets that are the subject of the proposed transaction

1 are the following:

2 A. Real Property located at 62 Vista Way, in the City of
3 Chula Vista, State of California, and more fully described as:
4 Lot 4 of Sweetwater Bluffs, in the City of Chula Vista, County of
5 San Diego, State of California, according to Map thereof No. 8831,
6 filed in the Office of the County Recorder of San Diego County,
7 April 6, 1978. APN 566-130-64.

8 B. Unimproved property located in the County of Imperial,
9 State of California and more fully described as:
10 Lot 4, Block 3, Tract 565, according to Maps thereof recorded in
11 Book 4, Page 69 of Final Maps in the Office of the County Recorder
12 of Imperial County. APN 14-062-01.

13 C. Real property located at 276 Kingsbury Grade,
14 Stateline, Nevada.

15 D. Wells Fargo PMA Account Number 114000000810831404.

16 C. Smith Barney Signature Account.

17 2. Petitioner and Respondent are husband and wife, and the
18 property described in Paragraph 1 above is community property.

19 3. Respondent lacks legal capacity for the proposed
20 transactions.

21 4. Respondent is neither a patient in nor on leave of absence
22 from a state institution under the jurisdiction of the State
23 Department of Mental Health or the State Department of Developmental
24 Services.

25 5. Petitioner has legal capacity for the proposed
26 transactions.

27 6. Petitioner joins in and consents to the proposed
28 transactions, and Respondent is substantially unable to manage his

1 own financial affairs or resist undue influence.

2 7. The proposed transaction is one that should be authorized
3 under Probate Code 3100 ff. because it is for the advantage, benefit
4 and best interests of the spouses and their estates, and for the
5 care and support of the spouses.

6 8. There is good cause for dispensing with bond.

7 9. The proposed transaction is consistent with the
8 Respondent's prior testamentary intent.

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13 IT IS THEREFORE ORDERED THAT:

14 1. Real Property located at 62 Vista Way, in the City of
15 Chula Vista, State of California, and more fully described as:
16 Lot 4 of Sweetwater Bluffs, in the City of Chula Vista, County of
17 San Diego, State of California, according to Map thereof No.
18 8831, filed in the Office of the County Recorder of San Diego
19 County, April 6, 1978, APN 566-130-64 shall be transferred to
20 Betty L. Ausen as her sole and separate property.

21 B. Unimproved property located in the County of
22 Imperial, State of California and more fully described as:
23 Lot 4, Block 3, Tract 565, according to Maps thereof recorded in
24 Book 4, Page 69 of Final Maps in the Office of the County
25 Recorder of Imperial County, APN 14-062-01 shall be transferred
26 to Betty L. Ausen as her sole and separate property.

27 C. Real property located at 276 Kingsbury Grade,
28 Stateline, Nevada shall be transferred to Betty L. Ausen as her

1 sole and separate property.

2 D. Wells Fargo PMA Account Number 114000000810831404
3 shall be transferred to Betty L. Ausen as her sole and separate
4 property.

5 C. Smith Barney Signature Account shall be transferred
6 to Betty L. Ausen as her sole and separate property.

7 4. That Petitioner be authorized to execute any and all
8 legal documents on behalf of Respondent necessary to effectuate
9 this Court order, including, but not limited to, the execution of
10 a deeds transferring Respondent's interest in the real properties
11 transferred to BETTY L. AUSEN as her sole and separate property.

12 5. B. James Brierton shall be discharged as Guardian Ad
13 Litem for Wayne S. Ausen.

14 6. As set forth in the Report of Guardian ad Litem,
15 Paragraph 10(a), Petitioner's promise to create a new separate
16 property trust constitutes a will contract under Probate Code
17 Section 21700.

18 7. As set forth in the Report of Guardian ad Litem,
19 Paragraph 10(b), in the event Petitioner does not create the new
20 trust or Petitioner revokes it after its creation, the will
21 contract will create a vested support right which is enforceable
22 in a legal dissolution or legal separation proceeding.

23 8. As set forth in the Report of Guardian ad Litem,
24 Paragraph 10(b), under Family Law Code Section 4303, an
25 entitlement under to support under Family Code Section 4301 can
26 be enforced judicially. The transmutation extinguishing Mr.
27 Ausen's ownership of property does not extinguish his entitlement
28 to support from that property if his retirement income is



1 insufficient to provide for his support.

2 9. B. James Brierton's fees in the amount of \$1,825.00 are
3 approved.

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Dated: FEB 02 2007

WILLIAM H. KRONBERGER, JR.
Judge of the Superior Court

EXHIBIT "8"

A Timeshare Estate comprised of

Parcel One:

An undivided 1/51st interest in and to that certain condominium described as follows:

- (a) An undivided 1/20th interest, as tenants-in-common, in and to Lot 31 of Tahoe Village Unit No. 3, Fifth-Amended Map, recorded October 29, 1981, as Document No. 61612 as corrected by Certificate of Amendment recorded November 23, 1981, as Document No. 62661, all of Official Records Douglas County, State of Nevada. Except therefrom units 81 to 100 Amended Map and as corrected by said Certificate of Amendment.
- (b) Unit No. 098 as shown and defined on said last mentioned map as corrected by said Certificate of Amendment.

Parcel Two:

A non-exclusive right to use the real property known as Parcel "A" on the Official Map of Tahoe Village Unit No. 3, recorded January 22, 1973, as Document No. 63805, records of said county and state, for all those purposes provided for in the Declaration of Covenants, Conditions, and Restrictions recorded January 11, 1973, as Document No. 63681, in Book 173 Page 229 of Official Records and in modification thereof recorded September 28, 1973, as Document No. 69063 in Book 973 Page 812 of Official Records and recorded July 2, 1976, as Document No. 1472 in Book 776 Page 87 of Official Records.

Parcel Three:

A non-exclusive easement for ingress and egress and recreational purposes and for use and enjoyment and incidental purposes over, on and through Lots, 29, 39, 40, and 41 as shown on said Tahoe Village Unit No. 3, Fifth-Amended Map and as corrected by said Certificate of Amendment.

Parcel Four:

- (a) A non-exclusive easement for roadway and public utility purposes as granted to Harich Tahoe Developments in deed re-recorded December 8, 1981, as Document No. 63026, being over a portion of Parcel 26-A (described in Document No. 01112, recorded June 17, 1976) in Section 30, Township 13 North, Range 19 East, M.D.M., - and -
- (b) An easement for ingress, egress and public utility purposes, 32' wide, the centerline of which is shown and described on the Fifth-Amended Map of Tahoe Village No. 3, recorded October 29, 1981, as Document No. 61612, and amended by Certificate of Amendment recorded November 23, 1981, as Document No. 62661, Official Records, Douglas County, State of Nevada.

Parcel Five:

The Exclusive right to use said UNIT and the non-exclusive right to use the real property referred to in subparagraph (a) of Parcel One and Parcels Two, Three, and Four above during ONE "use week" within the SPRING/FALL "use season", as said quoted terms are defined in the Declaration of Restrictions, recorded September 17, 1982 as Document No. 71000 of said Official Records.

The above described exclusive and non-exclusive rights may be applied to any available unit in the project, during said use week within said season.

SPACE BELOW FOR RECORDER'S USE



BK- 0407
PG- 8155