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OFFICIAL RECORD

Requested By:  
GEORGE KEELE

Assessor's Parcel Number: 1420-33-602-003

Recording Requested By:

Name: George M. Keele, Esq.

Address: 1692 County 7 Rd., Ste A

City/State/Zip Minden, Nevada 89423

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

Douglas County - NV  
Karen Ellison - Recorder

Page: 1 Of 13 Fee: 26.00  
BK-0710 PG-0507 RPTT: # 0



Order Setting Apart Estate Pursuant to NRS 146.070  
(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.*

RECEIVED

FILED

1 CASE NO. 10-PB-0041

JUN 25 2010

2010 JUL -1 AM 9:39

2 DEPT. NO. II

DOUGLAS COUNTY  
DISTRICT COURT CLERK

TED THIRAN  
CLERK

K. WILFERT DEPUTY

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6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF DOUGLAS  
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9  
10 In the Matter of the Estate of

11 AMELIA JANE GARCIA, also known  
12 as Jane Moore Garcia and Amelia  
13 Jane Tilman,

ORDER SETTING APART  
ESTATE PURSUANT TO  
NRS 146.070

14 Deceased.

15 ARMANDO JUAN GARCIA, as Co-Personal Representative of  
16 the above-entitled estate; SHARRON TILMAN BREWER, as Co-  
17 Personal Representative of the above-entitled estate;  
18 ARMANDO JUAN GARCIA, in his individual capacity; and SHARRON  
19 TILMAN BREWER, in her individual capacity, having  
20 participated in and concluded settlement negotiations with  
21 each other and having entered into and filed in this case a  
22 Stipulation for Entry of Order Setting Apart Estate Pursuant  
23 to NRS 146.070, dated June 24, 2010, which Stipulation is  
24 incorporated and made a part of this Order as though fully  
25 set forth herein, and the Court having reviewed said  
26 Stipulation, the Court finds that the parties, having had a  
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1 full opportunity to negotiate with each other and to argue  
2 their respective positions to each other in the presence of  
3 Special Master Steven McMorris and this Court; and the  
4 parties being fully aware that there are uncertainties and  
5 there would be additional attorney's fees and costs to each  
6 party associated with pursuing litigation of the matters  
7 that originally separated the parties; and the parties  
8 having agreed and stipulated that this Court may forthwith,  
9 without any further activity in the pending summary  
10 administration, convert this case to a proceeding pursuant  
11 to the provisions of NRS 146.070; and the Court finding and  
12 concluding that the Stipulation is fair to both parties, the  
13 Court makes the following findings, conclusions, and order:

16 A. The decedent, AMELIA JANE GARCIA, died  
17 leaving an estate the gross value of which, after deducting  
18 any encumbrances, does not exceed \$100,000.

19 B. There is a surviving spouse, namely: ARMANDO  
20 JUAN GARCIA.

21 C. Therefore, the estate must not be  
22 administered upon, but the whole estate, after this Court  
23 directs such payments (including distributions of parcels of  
24 improved real property) as may be deemed just, must be, by  
25 an order for that purpose, assigned and set apart for the  
26 support of the surviving spouse.  
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1 D. The Court, having reviewed the invoice  
2 submitted to Estate of AMELIA JANE GARCIA c/o Juan Garcia  
3 dated May 28, 2010, which shows attorney's fees in the  
4 amount of \$10,012.50 and costs in the amount of \$292.68 for  
5 total legal services rendered to the estate between December  
6 29, 2009, and May 28, 2010, finds that the total of such  
7 costs and services, namely: \$10,305.18 is fair and  
8 reasonable and should be and is hereby approved by this  
9 Court; and the Court, having received a representation by  
10 George M. Keele, Esq., as an officer of this Court, that he  
11 has incurred at least six additional hours of professional  
12 fees in behalf of the parties hereto, amounting to more than  
13 an additional \$1,800 dollars since June 1, 2010, bringing  
14 his total fees to in excess of \$12,100, the Court finds that  
15 Keele's offer to cap his fees and costs at \$11,500 is fair  
16 and reasonable to ARMANDO JUAN GARCIA, to SHARRON TILMAN  
17 BREWER, and to the law firm of George M. Keele, A  
18 Professional Corporation, and George M. Keele, Esq.

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22 E. The Court further finds that, absent future  
23 Court approval of any further payments of attorney's fees or  
24 costs that may be incurred because of questions or concerns  
25 by either party to this proceeding, no further attorney's  
26 fees or costs are approved.

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1 F. The Court also finds appropriate that, in  
2 consideration of SHARRON TILMAN BREWER agreeing to pay  
3 seventy percent (70%) of the attorney's fees set forth above  
4 as well as \$233 in costs for filing fees and \$200 for the  
5 bond as Co-Personal Representative, it is fair and  
6 appropriate for ARMANDO JUAN GARCIA to retain and bear as  
7 his sole and separate expense the following expenses he has  
8 already incurred:

10 (1) the unreimbursed balance of the sum of  
11 \$3,136.45, which he has expended in making mortgage  
12 payments on the 1330 Downs Drive parcel in which he has  
13 resided since the death of his wife, AMELIA JANE  
14 GARCIA;

16 (2) the sum of \$986.69 to Southwest Gas  
17 Corporation for the same premises; and

18 (3) the sum of \$350 for the preliminary title  
19 report from Marquis Title and Escrow, inasmuch as he  
20 has primarily benefited from the use of the 1330 Downs  
21 Drive premises since the decedent's passing in December  
22 of 2009.

24 G. The Court further finds that it is fair and  
25 reasonable, in consideration of these unreimbursed  
26 expenditures by ARMANDO JUAN GARCIA in behalf of the estate,  
27 that SHARRON TILMAN BREWER be assessed and required to pay  
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1 the sum of \$7,750 toward the \$11,500 total in attorney's  
2 fees and costs incurred by the law firm of George M. Keele,  
3 A Professional Corporation, taking into consideration, among  
4 other things, that ARMANDO JUAN GARCIA and Mr. Keele have  
5 borne costs and fees in preparing the original Petition for  
6 Letters of Special Administration, the Petition for  
7 Administration and for Issuance of Letters of Administration  
8 With the Will Annexed, the Notice of Hearing upon Petition  
9 for Summary Administration and Issuance of Letters of  
10 Administration With the Will Annexed, the Order for Letters  
11 of Special Administration, the First Amended Notice of  
12 Hearing, Affidavit of Service by Mail, Proof and Statement  
13 of Publication, the Order Granting Summary Administration  
14 and for Issuance of Letters of Administration (appointing  
15 Special Master), Letters of Administration for SHARRON  
16 TILMAN BREWER, Statement of Name and Address for SHARRON  
17 TILMAN BREWER, Letters of Administration for ARMANDO JUAN  
18 GARCIA, Statement of Name and Address for ARMANDO JUAN  
19 GARCIA, Notice to Creditors, and miscellaneous other court  
20 filings, together with completing the research with and  
21 procuring from Marquis Title and Escrow a report, namely: a  
22 preliminary title report dated as of January 15, 2010, at  
23 7:30 a.m., amended as received by the law firm on June 3,  
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1 2010, and a copy of which the Court has received as  
2 evidence.

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4 H. The Court, further, orders that all right,  
5 title and interest of AMELIA JANE TILMAN, who held title as  
6 a married woman as her sole and separate property, to the  
7 parcel of real property commonly known as 1330 Downs Drive,  
8 and more particularly described in **Exhibit A** attached hereto  
9 and incorporated herein by this reference, and all  
10 encumbrances and other obligations pertaining thereto,  
11 together with the entire contents of the home and the sheds  
12 on the 1330 Downs Drive parcel, the 1978 Ford Fairmont  
13 station wagon, the old wooden box trailer (Nevada license  
14 D01446), the green 1998 Buick Skylark (VIN  
15 1G4NJ52MXWC409688), the Aristocrat Lo-Liner Travel Trailer,  
16 together with all keys to the above-identified vehicles,  
17 mailbox, house, garage, and locks at 1330 Downs Drive,  
18 Minden, Douglas County, Nevada, **to be and they are hereby**  
19 **paid and distributed to SHARRON TILMAN BREWER, a married**  
20 **woman as her sole separate property,** with the exception of  
21 the two lawn-cutting machines that are presently located in  
22 the garage on the 1330 Downs Drive parcel which are herewith  
23 assigned and set apart to ARMANDO JUAN GARCIA for his  
24 support; and with the further exception that all of ARMANDO  
25 JUAN GARCIA's personal property still remaining in the 1330  
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1 Downs Drive home is hereby paid, assigned, and set apart to  
2 him as his sole separate property for his support as  
3 surviving spouse, and, within the next ten (10) days, he may  
4 pack them up and move them to any location he chooses,  
5 together with the 1976 Dodge Sportsman mobile home (VIN  
6 F44CF6V084517), the custom, dark blue Chevrolet Deluxe  
7 pickup truck (VIN 2GCEK14HXG1126208), the 1974  
8 white/yellow/brown Ford pickup (VIN F10YRP49056), the 1974  
9 yellow/white Dodge 100 pickup (VIN W14AI4S171500), the Ford  
10 tractor with scoop loader, the 1976 orange Dodge Tradesman  
11 200 van (VIN B25BF8X113705), the 1983 Buick Regal (VIN  
12 1G4AJ47A4DH905044), and the 1985 Suzuki Quad 250 4x4  
13 Quadrunner all-terrain vehicle, all of which vehicles are  
14 also hereby assigned and set apart to ARMANDO JUAN GARCIA  
15 for his support as surviving spouse as his sole separate  
16 property. The Court further orders ARMANDO JUAN GARCIA to  
17 execute and deliver to SHARRON TILMAN BREWER, a married  
18 woman as her sole, separate property, for recording in the  
19 official records of Douglas County, Nevada, a quitclaim deed  
20 as to the 1330 Downs Drive, Minden, Douglas County, Nevada,  
21 parcel. SHARRON TILMAN BREWER may have access to the 1330  
22 Downs Drive residence commencing five (5) days after the  
23 entry of the Court Order Setting Apart Estate Pursuant to  
24 NRS 146.070.  
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1 I. The Court further orders that all right,  
2 title, and interest of JANE MOORE GARCIA, also known as  
3 AMELIA JANE GARCIA, deceased, to the parcel of real property  
4 commonly known as 1334 Downs Drive, and more particularly  
5 described in **Exhibit B** attached hereto and incorporated  
6 herein by this reference and all encumbrances and other  
7 obligations pertaining thereto, together with the entire  
8 contents of the home at 1334 Downs Drive, together with all  
9 of the outbuildings and their contents and all other  
10 personal property located on the premises of the 1334 Downs  
11 Drive home shall be and are hereby assigned and set apart to  
12 ARMANDO JUAN GARCIA, a widower, as his sole separate  
13 property, for his support as surviving spouse, together with  
14 the anticipated Hartford Life Insurance death benefit,  
15 provided it is payable by the Hartford to him, by name. If  
16 the Hartford Life Insurance death benefit is payable to the  
17 estate of the decedent, it shall be equally divided between  
18 ARMANDO JUAN GARCIA and SHARRON TILMAN BREWER, to each as  
19 their sole, separate property.  
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23 J. The Court concludes that these payments and  
24 distributions are deemed just by the Court and that the  
25 parties shall cooperate with each other in signing any and  
26 all documents that must be signed to convey clear title to  
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1 the respective owners of the real and personal property that  
2 are the subject of this Stipulation and Order.

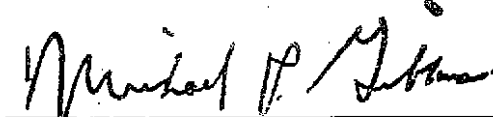
3 K. The Court uses the term "Co-Personal  
4 Representatives" to assist the Court in effecting this  
5 distribution and not because the Co-Personal Representatives  
6 are continuing to function in an active estate  
7 administration or probate proceeding. Except for such  
8 functions as are necessary to the winding up and closing of  
9 the administration of the decedent's estate, the Court  
10 orders closed the portions of the above-entitled and  
11 numbered, proceeding that had to do with the administration  
12 or probate of the decedent's estate and retains the same  
13 case number to identify all further proceedings in this  
14 matter which will continue and be closed pursuant to the  
15 provisions of NRS 146.070, which the parties agree have been  
16 essentially met.

17 L. The Court further orders ARMANDO JUAN GARCIA  
18 and SHARRON TILMAN BREWER to pay promptly when due and to  
19 hold each other and the respective heirs, successors, and  
20 assigns of each other harmless as to and indemnify each  
21 other as to their sole responsibility for their respective  
22 obligations set forth in the Stipulation and this Order and  
23 to comply strictly with each and every provision of the  
24 Stipulation as incorporated herein.  
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1 M. The Court shall retain jurisdiction of this  
2 matter until proper receipts have been filed with the Court  
3 reflecting distribution by the Co-Personal Representatives  
4 to the individuals entitled thereto. If there is any  
5 disagreement between the parties regarding the Stipulation  
6 or the Order Setting Apart Estate Pursuant to NRS 146.070,  
7 the Court shall decide the matter, including without  
8 limitation, any disagreement as to the disposition of the  
9 personal property of the decedent or the claims of either  
10 SHARRON TILMAN BREWER or ARMANDO JUAN GARCIA, or both,  
11 thereto.  
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14 N. After receipts have been filed with the  
15 Court, a decree shall be entered and filed herein,  
16 discharging the Co-Personal Representatives from all  
17 liability thereafter to be incurred by them in this estate  
18 proceeding. The bond posted shall then be exonerated and  
19 released.  
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21 DATED: July 1, 2010

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24 \_\_\_\_\_  
DISTRICT JUDGE

25 Submitted by:  
26 GEORGE M. KEELE, ESQ.  
27 Nevada Bar No. 1701  
28 Attorney for Co-Personal  
Representative Armando  
Juan Garcia

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EXHIBIT A  
LEGAL DESCRIPTION OF  
1330 DOWNS DRIVE, MINDEN, NEVADA 89423  
(Douglas County Assessor's Parcel No. 1420-33-602-003)

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land situated in and being a portion of the Northeast ¼ of Section 33 in Township 14 North, Range 20 East, M.D.B. & M., described as follows:

BEGINNING at the center of Section 33, Township 14 North, Range 20 East, M.D.B. & M., where there is set a one inch iron rod;  
Thence South 89°49' East along the East-West quarter Section line of said Section 33, a distance of 928.81 feet to the TRUE POINT OF BEGINNING;  
Thence South 89°49' East, a distance of 132.00 feet;  
Thence North 0°08' West, a distance of 340 feet;  
Thence North 89°49' West, a distance of 132.00 feet;  
Thence South 0°08' West, a distance of 340.00 feet to the POINT OF BEGINNING.

This description was previously recorded on April 30, 2007, in Book 0407, Page 9671, as Document No. 700137, Official Records of Douglas County, Nevada.

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EXHIBIT B  
LEGAL DESCRIPTION OF  
1334 DOWNS DRIVE, MINDEN, NEVADA 89423.  
(Douglas County Assessor's Parcel No. 1420-33-602-004)

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

A parcel of land situated in and being a portion of the Northeast ¼ of Section 33 in Township 14 North, Range 20 East, M.D.B. & M., described as follows:

BEGINNING at the center of Section 33, Township 14 North, Range 20 East, M.D.B. & M., where there is set a one inch iron rod;  
Thence South 89°49' East along the East-West quarter Section line of said Section 33, a distance of 1,060.81 feet to the TRUE POINT OF BEGINNING;  
Thence South 89°49' East, a distance of 132.00 feet;  
Thence North 0°08' West, a distance of 340 feet;  
Thence North 89°49' West, a distance of 132.00 feet;  
Thence South 0°08' West, a distance of 340.00 feet to the POINT OF BEGINNING.

Said property was purchased by Armando Juan Garcia at public auction on Friday, March 2, 1990, at 10:00 A.M., at the place named in the Notice of Trustee's Sale, in the County of Carson City, Nevada.

This description was previously recorded on April 30, 2007, in Book 0407, Page 9674, as Document No. 700138, Official Records of Douglas County, Nevada.

**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original in file and of record in my office.

DATE 7/2/10  
TED THRAN Clerk of the 9th Judicial District Court of the State of Nevada, in and for the County of Douglas,  
By [Signature] Deputy