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OFFICIAL RECORD
Requested By:
MARVEL & KUMP, LTD
Douglas County - NV
Karen Ellison - Recorder
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Recording Requested by:

Marvel & Kump, Ltd.
217 Idaho Street
Elko, NV 89801

Tax Documents Mail to:

David C. Marzano
P.O. Box 11038
Zephyr Cove, NV 89448

Decree of Distribution filed in the Fourth Judicial District of the State of Nevada,
In and for the County of Elko
Douglas County APN# 1418-34-211-010
Clark County APN# 264-28-510-045



FILED

2011 FEB 28 P 4:03

ELKO COUNTY CLERK

CLERK _____

1 CASE NO. PR-P2-10-124

2 DEPT. NO. 1

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6 **IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF ELKO**

8 _____
9 IN THE MATTER OF THE ESTATE

10 OF

11 **SHERRI BERGER MARZANO,**
12 also known as **SHERRI B. MARZANO** and
13 **SHERRI MARZANO,**

Deceased.

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

14 The Executor of the above-entitled Estate having on the 2nd day of February, 2011,
15 rendered and filed herein a full Account of the administration of said Estate, which Account was for
16 final settlement, and having with said Account filed a Petition for Final Distribution of said Estate,
17 and made Application for Approval of Attorney's Fees; and said Account, Application and Petition
18 having come on regularly to be heard on the 28th day of February, 2011, at 9:30 a.m.; proof having
19 been made to the satisfaction of the Court that Notice of the settlement of said Account and of the
20 hearing of said Application and Petition has been given in the manner and for the time required by
21 law, as more fully appears by the Affidavit of Mailing on file herein, and the Court hereby finds:

22 1. That due and legal notice of the hearing of said Account, Application and
23 Petition has been given to all persons interested in said Estate.

24 2. That said Account is in all respects true and correct; that said Executor has
25 receipts in the sum of \$66,696.36 as of the date of the filing of the First and Final Account; the
26



1 Executor has made disbursements as of the date of the filing of the First and Final Account in the
2 sum of \$55,578.32; the cash on hand as of June 16, 2008, the date of death of the Deceased, was \$0;
3 the cash on hand as of February 2nd, 2011, the date of filing the First and Final Account was
4 \$11,118.04.

5 3. That due and legal Notice to Creditors of said Estate has been given in the
6 manner and for the time required by law and that the time for filing of creditors' claims has expired.

7 4. That no creditors' claims have been filed against said Estate.

8 5. That on the 16th day of June, 2008, the Deceased, **SHERRI BERGER**
9 **MARZANO**, also known as **SHERRI B. MARZANO** and **SHERRI MARZANO**, died in the City
10 of Chicago, County of Cook, State of Illinois. That at the time of her death she was an married
11 woman and a resident of the County of Cook, State of Illinois; that she was over the age of (18)
12 years; and that she left an estate in the Counties of Elko, Douglas and Clark, State of Nevada,
13 consisting of real and personal property.

14 6. That the Deceased died testate as to her property.

15 7. That on the 11th day of October, 2010, the Court, by its Order duly made and
16 entered appointed **DAVID C. MARZANO**, Executor of the Estate of the Deceased and directed that
17 Letters Testamentary be issued to Petitioner. **DAVID C. MARZANO** thereupon became, and now
18 is, and ever since said date has been the duly appointed, qualified and acting Executor of said Estate.

19 8. That the Executor caused to be made and returned to the Court a true Inventory
20 and Appraisalment of all of the assets of the Estate of the Deceased; that the total value of said Estate
21 as shown on the Inventory is \$916,696.36. Accordingly, the value of the Estate as of the date of the
22 filing of the First and Final Account, less the disbursements made from the Estate bank account, was
23 \$861,118.04.

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25 ///505



1 11. That under the terms of the Last Will and Testament of the Deceased, the
2 following identified persons are the named devisees and legatees therein. Their names, relationship,
3 age and addresses are as follows:

<u>Name</u>	<u>Age</u>	<u>Relationship</u>	<u>Address</u>
David C. Marzano	Adult	Husband	210 Sugar Pine Circle Zephyr Cove, NV 89448
Nicole Marie Cochran	Adult	Daughter	2871 Dorby Close Atlanta, GA 30319
Terese Lynn Finlay	Adult	Daughter	P.O. Box 11038 Zephyr Cove, NV 89448
Janece Paula Burke	Adult	Daughter	1001 West 15 th St. # 239 Chicago, IL 60608
Anne B. Fisk	Adult	Daughter	1590 Grove Ave. Highland Park, IL 60035

13 12. That the whole of said property of the Estate was the sole and separate property
14 of the Deceased.

15 13. That the property within the jurisdiction of this Court, now under the care,
16 management and control of the Executor and subject to distribution is as follows:

17 CASH ON HAND :

Estate bank account with Bank of America, Account No. 501-009669349	\$0
Marvel & Kump, Ltd., Trust Account	\$11,118.04

21 PERSONAL PROPERTY:

Miscellaneous household furniture, furnishings, tools, books, personal belongings and effects- sentimental value only:	\$0
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24 REAL PROPERTY:

- 25 1) All that real property situate in the County of Douglas, State of Nevada, more
26 particularly described as follows, to-wit:



1 PARCEL NO. 1:

2 Lot 54, as shown on the map of NORTH LAKERIDGE and Revised Plat of
3 Portion of Lakeridge Estates No. 2, filed in the Office of the County Recorder
4 of Douglas County, Nevada, on August 29, 1960, as Document No. 16529.

5 Assessors Parcel No. 03-172-260

6 PARCEL NO. 2:

7 An easement for the use and maintenance of the existing driveway across the
8 Southwest corner of Lot 53 which easement is for the use of Lot 54.

9 2) All that certain real property situate in the County of Clark, State of Nevada,
10 more particularly described as follows:

11 Parcel I:

12 Unit No. Three Hundred One (301) in Building "Q" of
13 PORTOFINO UNIT 3 (A Condominium Subdivision), as shown
14 by map thereof on file in Book 44, of Plats, Page 2 in the Office
15 of the County Recorder of Clark County, Nevada and any
16 amendments thereto.

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19 Parcel II:

20 An undivided 1/24th interest in the Common Area(s) P and Q of
21 the PORTOFINO- UNIT 3 (A Condominium Subdivision) as
22 show by map thereof on file in Book 44, of Plats, Page 2 in the
23 Office of the County Recorder of Clark County, Nevada and any
24 amendments thereto.

25 Parcel III:

26 The exclusive right to use the Restricted Common Area
appurtenant to Unit 301 (Q) of the PORTOFINO-UNIT 3 (A
Condominium Subdivision) as shown by map thereof on file in
Book 44, of Plats, Page 2 in the Office of the County Recorder
of Clark County, Nevada and any amendments thereto.

Parcel IV:

The non-exclusive easement to use the Common Area as set
forth in the above described Declarations of Covenants,
Conditions and Restrictions or in the above-described
condominium map.



1 14. That pursuant to the terms of the Last Will and Testament of the Deceased, all
2 the Decedent's Estate should be distributed to Decedent's spouse, David C. Marzano, who has
3 survived the Decedent by over sixty (60) days.

4 15. That the Executor has performed services for the Estate, for which he is entitled
5 to a statutory fee; however, Petitioner waives such fee.

6 16. That JOHN E. MARVEL, on behalf of Marvel & Kump, Ltd., Elko, Nevada,
7 has advanced certain costs and is entitled to reimbursement of costs advanced in the amount of
8 \$901.43, to-wit: Elko County Clerk - \$522.50; Fulton County Clerk - \$10; to-wit; Elko Daily Free
9 Press - \$168.41; to-wit; UPS - \$137.87; and USPS - \$27.70; and long distance telephone charges,
10 postage and photocopies - \$34.95.

11 17. That JOHN E. MARVEL, on behalf of Marvel & Kump, Ltd., Elko, Nevada,
12 has performed services for the Estate by acting as attorney for the Executor, and the Executor and
13 attorney have agreed to the sum of \$10,000.00 as a reasonable fee for said services.

14 18. That no Federal Estate Tax Return will be required to be prepared and filed, and
15 there is no Federal Estate Tax liability to the Estate.

16 19. That the Executor will have prepared and timely filed a final income tax return
17 for the Decedent as may be required.

18 20. That any required Fiduciary Income Tax return for income received into the
19 Estate since the death of the Decedent will be prepared and filed as may be provided by law.

20 21. That the cash on hand of the Estate will be sufficient to cover all the costs and
21 expenses, including attorney's fees, incurred in the administration of the Estate.

22 22. That the necessary costs for closing said Estate are estimated to be less than
23 \$150.00; that all claims and debts against said Decedent and against said Estate have been paid in
24 full; that all expenses and charges of administration except as herein specifically set out have been
25 paid in full; that the expenses of last illness and funeral expenses have been paid in full; that all taxes
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1 due and payable will be timely paid; that said Estate is ready for distribution and is now in a
2 condition to be closed.

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

4 1. That due and legal notice of the hearing of said First and Final Account,
5 Application for Approval of Attorney's Fees, and Petition for Distribution has been given to all
6 persons interested in said Estate or entitled to notice thereof.

7 2. That Notice to Creditors has been given for the time and in the manner as
8 provided by law, and the time for the presentation of creditors' claims has expired.

9 3. That no creditors' claims have been filed against said Estate.

10 4. That the First and Final Account of the Executor as rendered is hereby settled,
11 allowed, approved, ratified and confirmed as rendered.

12 5. That the Executor is ordered to pay, pursuant to the terms of the Petition for
13 Distribution, the following amounts for the purposes stated, which amounts are determined to be
14 reasonable, to-wit:

15 A. To JOHN E. MARVEL, on behalf of Marvel & Kump, Ltd., the sum
16 of \$901.43 to reimburse said firm for costs advanced and long distance
17 telephone charges, fax charges, postage and photocopies;

18 B. To JOHN E. MARVEL, on behalf of Marvel & Kump, Ltd., the sum
19 of \$10,000 as attorney's fees;

20 C. Necessary costs of closing.

21 6. That the Executor is ordered to timely file a Fiduciary Income Tax return for
22 the Decedent as may be required and pay any tax due thereon and all costs incurred in the preparation
23 of such return.

24 7. That the Executor is ordered to timely file a final income tax return for the
25 Decedent as may be required and pay any tax due thereon and all costs incurred in the preparation
26 of such return.

