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OFFICIAL RECORDS

Requested By
Rowe & Hales

DOUGLAS COUNTY RECORDERS
Karen Ellison - Recorder

Page: 1 of 7 Fee: \$ 20.00
Bk: 0912 Pg: 6316



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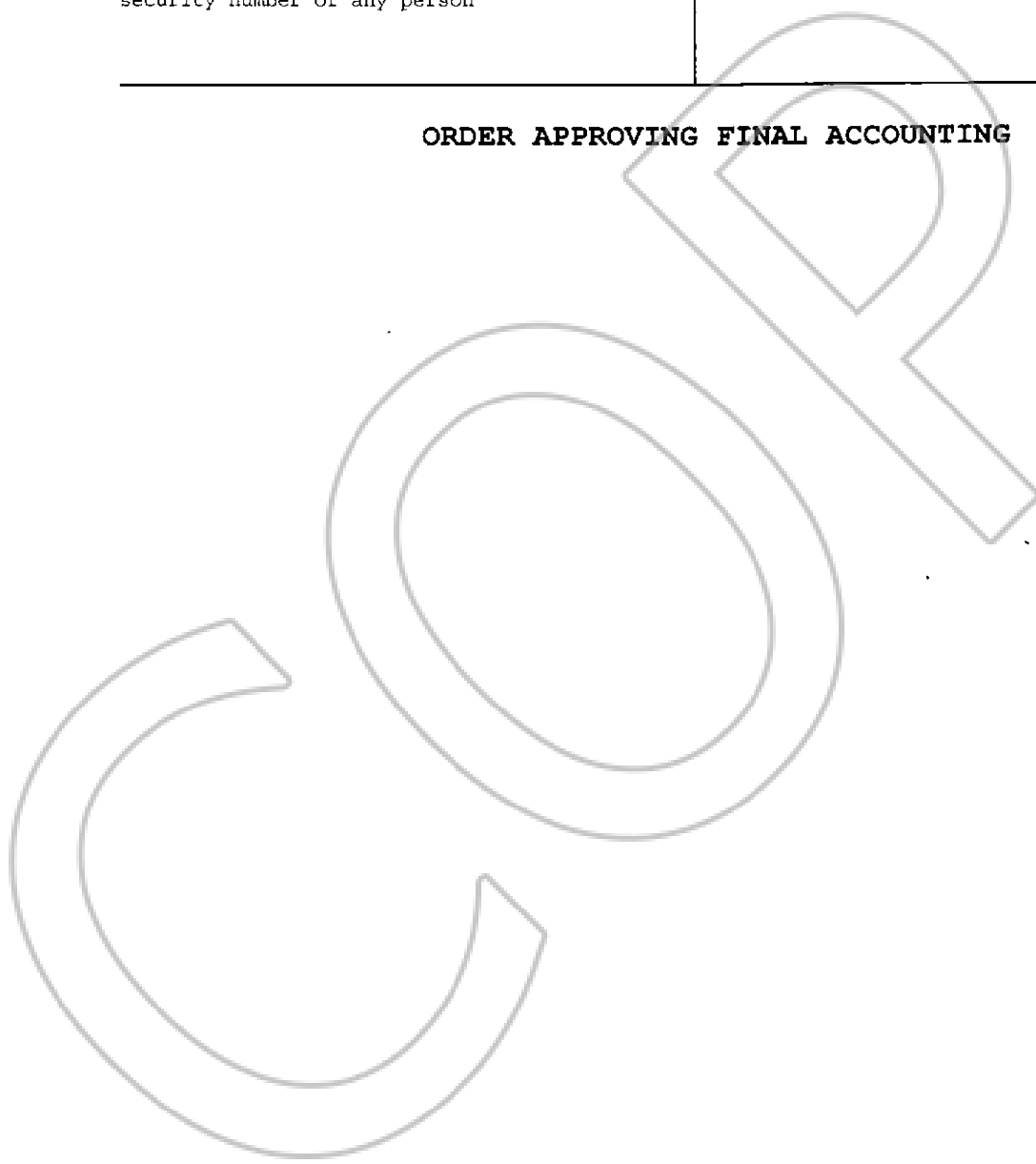
APNs: 1320-32-501-007
 1320-26-002-062

**RECORDING REQUESTED BY AND
MAIL TO:**

✓ MICHAEL SMILEY ROWE, ESQ.
1638 Esmeralda Avenue
Minden, NV 89423

Pursuant to NRS 239B.030(4), I affirm that
the instrument contained below (or attached
hereto) does not contain the social
security number of any person

ORDER APPROVING FINAL ACCOUNTING



RECEIVED

SEP 24 2012

DOUGLAS COUNTY
DISTRICT COURT CLERK

1 CASE NO. 12-PB-0036
2 DEPT. NO. II

FILED

2012 SEP 24 PM 3:27

3 The undersigned affirms
4 that this document contains
5 no Social Security Number

TED THUAN
CLERK

K. WILFERT DEPUTY

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF DOUGLAS

8
9 In the Matter of the Estate

10 -of-

11 JOHN GILBERT LEVECK,

12 Deceased.

ORDER APPROVING VERIFIED
PETITION FOR FIRST AND FINAL
ACCOUNTING, APPROVING
DISTRIBUTION, APPROVING
PERSONAL REPRESENTATIVE'S
ACTIONS, APPROVING ATTORNEY'S
FEES AND COSTS, AND FOR
SETTLEMENT

13
14 **THIS MATTER** came on before the Court on the 24th day of
15 September, 2012, on the Verified Petition for First and Final
16 Accounting and related relief ("Petition") filed by DONNA JORDAN
17 LEVECK, Petitioner and the Court-appointed Executrix ("Petitioner").
18 Present in Court were the Petitioner together with her counsel
19 MICHAEL SMILEY ROWE, ESQ. of ROWE HALES YTURBIDE, LLP.

20 Based upon the Verified Petition on file herein and all
21 pleadings heretofore filed, and good cause appearing:

22 **IT IS HEREBY FOUND, CONCLUDED AND ORDERED AS FOLLOWS:**

23
24 1. JOHN GILBERT LEVECK, Deceased, age 71, with date of birth
25 of 7 November 1940, died at Evergreen Carson City Health and
26 Rehabilitation Center on the 19th day of March, 2012. A certified
27 copy of the death certificate of the Decedent was attached as Exhibit
28 "A" to the originating Petition.

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2. The Decedent died testate. A copy of his Last Will and Testament was attached as Exhibit "B" to the originating Petition and has been admitted to probate.

3. The names, ages and residences of the next of kin, devisees and legatees of the Decedent are:

<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
Donna Leveck 1607 Heron Cove Court Gardnerville, NV 89410	Over 18	Wife
Margaret Keller 8477 Grenache Court San Jose, CA 95135	Over 18	Sister

4. Additional persons who may be interested in this estate are:

<u>NAME AND ADDRESS</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
Medicaid Estate Recovery Nevada State Welfare Division 1050 E. Williams, Ste. 435 Carson City, Nevada 89701	N/A	N/A

5. After Letters Testamentary were issued to the Executrix on 8 May 2012, the Executrix caused to be filed, posted and published a 90-days' Notice to Creditors. The Notice to Creditors was filed with the Court on 8 May 2012. Proof of Publication of the Notice to Creditors was filed with the Court on 13 June 2012.

6. The creditor's claim period expired on 23 August 2012. No formal creditor's claims have been filed with the Clerk of the Court. Petitioner is unaware of any informal creditors.

7. On 20 July 2012 the Executrix filed her Verified Inventory and Appraisement with the Court ("Inventory"). The Court, by Order entered on 26 June 2012, enlarged time within which the Inventory

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1 could be filed to 26 August 2012.

2 8. As of the date of the Petition, and reflecting the current
3 balance owed to the Greater Nevada Credit Union pursuant to a
4 promissory note secured by deed of trust encumbering the home of the
5 Executrix in the amount of \$16,442.00, and the amounts on deposit in
6 the three accounts reported in her Inventory, the Executrix reported
7 to the Court that the gross value of the Decedent's estate, less
8 encumbrances, is \$558,904.50.

9
10 9. Pursuant to NRS 150.020, Petitioner would be entitled to
11 ordinary commissions on the estate which she has administered.
12 However, and due to the fact that the entire estate of the Decedent
13 is community property and will be transferred to the Executrix upon
14 the entry of this Order approving of the Petition, the Executrix
15 waived any commissions which may be payable to her pursuant to the
16 cited statute.

17 10. Pursuant to the Last Will and Testament of the Decedent,
18 a copy of which is attached as Exhibit "B" to the originating
19 Petition, the Decedent provided:

"I am married to Donna Jordan Leveck and I
confirm to my wife her interests in our
community property. I give my entire estate,
real and personal, to her if she survives me
for 90 days. ..."

24 The Court finds that the Executrix has survived the
25 Decedent for in excess of 90 days as he required in his Last Will and
26 Testament. Accordingly, and pursuant to the Decedent's wishes, the
27 Court hereby Orders that the entire estate owned by the Decedent
28 shall be distributed to Donna Jordan Leveck.

1 11. The estate of the Decedent distributed to Donna Jordan
2 Leveck, as her sole and separate property, is as follows:

3 All of the Decedent's rights, title and interest in and to
4 that property described as 1569 Hwy. 395, Minden, Nevada, also
5 commonly known as Douglas County Assessor's Parcel No. 1320-32-501-
6 007. Said property is more specifically described in that Individual
7 Grant Deed recorded on 6 June 1998 as Document No. 0429758; Book
8 0198, Page 0316 Official Records of Douglas County Recorder; and
9

10 All of the Decedent's rights, title and interest in and to
11 that property described as 1607 Heron Cove Court, Gardnerville,
12 Nevada, also commonly known as Douglas County Assessor's Parcel No.
13 1320-26-002-062. Said property is further described in that
14 Individual Grant Deed recorded on 6 June 1998 as Document No. 0429759
15 Book 0198, Page 0318, as said parcel was adjusted by that Boundary
16 Line Adjustment Deed filed for record as Document No. 0783452; Book
17 0511, Page 3386 Official Records of Douglas County Recorder; and
18

19 All of the Decedent's rights, title and interest in and to
20 the Greater Nevada Credit Union checking account, State Farm Bank -
21 Money Market account, and Greater Nevada Credit Union IRA's; and

22 All of the Decedent's interest in the personal property
23 acquired during the course of the marriage to the Executrix,
24 including, without limitation, the 1994 Ford Explorer, the 2003
25 Toyota Sequoia, the 1981 Mercedes Benz 300TD Diesel Wagon, and all of
26 the items of household furniture and furnishings located in the home
27 of the Decedent and the Executrix located at 1607 Heron Cove Court,
28 Gardnerville, Nevada.

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1 It is the further Order of the Court that the Executrix
2 may execute an Executrix's Deed to the two parcels of real property
3 conveying all of the rights, title and interest in the two parcels of
4 real property to Donna Jordan Leveck, as her sole and separate
5 property.

6 12. In her Petition, Petitioner requested that the Court
7 ratify, confirm and approve of her previous payment in the amount of
8 \$3,297.20 as the accrued attorney's fees and court costs (\$2,475.00
9 attorney's fees; \$822.20 costs advanced) prior to the Petition, and
10 the incurred attorney's fees to the date of the preparation of the
11 Petition in the amount of \$522.50. Counsel anticipated further
12 services will be required to the close of this estate, particularly
13 in the preparation of an order and hearing on the Petition, the final
14 pleadings to be filed, preparation of deeds to the real property
15 reflecting the sole ownership of the Executrix, and in ensuring the
16 Court ordered distribution occurs. Such fees should not exceed the
17 sum of \$1,500.00, which was the approximation provided to Petitioner
18 to allow her to prepare her accounting. Should the fees be less than
19 the approximated amount, the estate value for distribution purposes
20 will increase.
21

22 The Court hereby ratifies, confirms and approves of the
23 Petitioner's previous payment of the accrued attorney's fees and
24 court costs incurred by the Petitioner and authorizes her payment of
25 current incurred attorney's fees. Furthermore, the Court authorizes
26 the Petitioner to expend a sum not exceeding \$1,500.00 for the
27 payment of such further attorney's fees and court costs as may be
28

1 incurred to the close of this estate.

2 13. Pursuant to the requests of the Petitioner, it is the
3 order of the Court that all of Petitioner's actions, past and
4 proposed, be, and the same are hereby, ratified, confirmed and
5 approved. Petitioner is authorized to proceed to execute all
6 instruments necessary to transfer this estate to its intended
7 beneficiary, to pay her administrative expenses approved by this
8 order, and to take all reasonable steps to bring this estate to a
9 close once the administrative expenses have been paid, the
10 distribution to the beneficiary accomplished and, once all of the
11 actions required of the Petitioner are completed, to move this Court
12 for its order closing this estate and honorably discharging
13 Petitioner. The Court will issue such Order without hearing.

14 DATED this 24 day of September, 2012.

Michael P. Gibbons

MICHAEL P. GIBBONS
DISTRICT COURT JUDGE

15 ROWE HALES YTURBIDE, LLP

Michael Smiley Rowe

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26 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.

27 DATE 9/24/12

TED THRAP Clerk of the 9th Judicial District Court of the State of Nevada, in and for the County of Douglas,

Ted Thrap _____
Clerk