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09/19/2013 10:14AM Deputy: SG  
OFFICIAL RECORD  
Requested By:  
Northern Nevada Title CC  
Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 8 Fee: \$21.00  
BK-913 PG-4105 RPTT: 0.00



The undersigned hereby affirms that this document submitted for recording does not contain the Social Security number of any person or persons (NRS 239B.030)

NORTHERN NEVADA TITLE COMPANY

By: 

Print Name/Title: Tammy L. May, Title Officer

APN: 1220-21-810-142  
ORDER NO.: 1100741-RG

FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT: ORDER APPROVING PETITION FOR FINAL DISTRIBUTION,  
APPROVAL OF ATTORNEY'S FEES

WHEN RECORDED MAIL TO:

Northern Nevada Title Company  
307 W. Winnie Lane  
Carson City, Nevada 89703

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SEP 13 2013

DOUGLAS COUNTY  
DISTRICT COURT CLERK

2013 SEP 17 PM 1:44

TED THRAN  
CLERK

BY [Signature] DEPUTY

1 CASE NO. 13-PB-0001

2 DEPT. NO. I

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

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

8 IN AND FOR THE COUNTY OF DOUGLAS

9 IN THE MATTER OF THE ESTATE OF

10 HAROLD RALPH SMITH,

11 Deceased.

**ORDER APPROVING PETITION FOR  
FINAL DISTRIBUTION, APPROVAL  
OF ATTORNEY'S FEES**

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14  
15 BRIAN ALLEN SMITH, Personal Representative of the Estate of HAROLD RALPH  
16 SMITH deceased, by and through his attorney of record, JENNIFER YTURBIDE of Rowe Hales  
17 Yturbide, LLP, having heretofore filed his **Petition for Final Distribution, Approval of Attorneys**  
18 **Fees**, and the same coming on regularly to be heard on September 17, 2013, at 1:30 p.m., and proof  
19 having been made that notice of said hearing was given in the manner and for the time required by  
20 law, and no person appearing to contest the same, the Court, after hearing and considering the  
21 evidence and being fully advised, finds:

- 22  
23 1. HAROLD RALPH SMITH died on the 27<sup>th</sup> day of October, 2012 in Douglas  
24 County, Nevada.  
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26 2. Decedent's Will dated June 7<sup>th</sup>, 1990, was admitted to probate by order of this  
27 Court dated on January 29, 2013.  
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3. On January 29, 2013, this Court appointed the Petitioner as Personal Representative in this matter.

4. On the 15th day of February, 2013 the Personal Representative caused a Notice to Creditors to be given in the manner and for the time required by law. Further, the Personal Representative caused notice to be published in the Record Courier for the period of time and in the manner required by law.

5. A single claim was filed in response to the Notice to Creditors. The claim was filed by Arika Gupta MD, Inc. and is for medical services for a total amount of \$91.80. Said claim was accepted and fully paid on May 24, 2013. A true and correct copy of the redacted Receipt and proof of payment was attached to the Petition. There are no other claims of which Petitioner is aware, and the time period for filing a claim has expired, and there is no reason known to Petitioner why the estate cannot be distributed.

6. The Inventory, Appraisalment and Record of Value was filed with this Court on March 28, 2013. The total value of the estate was estimated at \$468,668.81. Additional stock shares were found, and the Personal Representative supplemented the Inventory on the same date as the filing of the Petition.

7. The Decedent's 1998 GMC T15 was sold and the proceeds deposited to the Estate's bank account. Other personal property, clothing and household furnishings were donated to charity.

8. The Decedent's real property located at 617 Kelly Ct., Gardnerville, Nevada, more specifically described as follows, is not encumbered and should be distributed.

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Lot 303, as shown on the map of GARDNERVILLE RANCHOS UNIT NO. 7, filed for record in the office of the County Recorder of Douglas County, Nevada, on March 27, 1974 as Document No. 72456



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9. All the stocks, bank accounts, investment accounts and accounts at financial institutions owned by Decedent and Decedent's estate should be distributed, specifically including:

AT&T - 504 Shares account ending #1566

AT&T - 1356 Share account ending #1797

Comcast - 206 Shares account ending #9160

Verizon - 528 Shares account ending #07971

Vodafone - 647 Shares (ADS) account ending #57W20

Frontier Communications - 126 Shares account ending #0903

Alcatel-Lucent - 78 shares (JP Morgan account ending #1471)

10. A formal accounting was waived by the sole beneficiary. A true and correct copy of said waiver by Brian Allen Smith was filed with this Court. NRS 150.075 authorizes a waiver of accounting by the sole beneficiary.

11. By the terms of the Decedent's Last Will and Testament, his estate should be distributed as follows:

"FIFTH, in the event my wife should predecease me or should not be living four (4) months after the date of my death, then and in that event I give, devise and bequeath my estate to be divided equally between my two sons, DAVID STEPHAN SMITH and BRIAN ALLEN SMITH. Should either beneficiary predecease me, then in that event I give my entire estate to my surviving son."

12. Decedent's wife, Betty Joyce Smith, predeceased Decedent and died on December 21, 2010. Decedent's son, David Stephan Smith also predeceased Decedent and died on December 8, 2007.

13. Brian Allen Smith, Decedent's surviving son and Petitioner herein, is the sole beneficiary of the Estate.

14. Petitioner retained Jennifer Yturbide, of Rowe Hales Yturbide, LLP, as attorney for the estate and for the Personal Representative. Rowe Hales Yturbide, LLP is entitled to reasonable



1 fees for services rendered. A statement prepared by Rowe Hales Yturbide, LLP setting forth a  
2 summary of the services provided was filed with the Petition. The total fees and costs incurred for  
3 this estate through September 3, 2013 total \$7,064.36.

4  
5 15. Petitioner expects that additional fees and costs of no more than \$1,000.00 will be  
6 incurred in closing the estate.

7 16. Petitioner is the sole beneficiary of the estate.

8 17. Petitioner requested authority to make distribution of the estate to the beneficiary,  
9 Brian Allen Smith, and to close the estate.

10 18. At all times since receiving possession of the estate assets, Petitioner has acted in  
11 full compliance with his fiduciary obligations and has performed all obligations as required by state  
12 and federal law.

13  
14 NOW THEREFORE, IT IS HEREBY ORDERED:

15 1. The Personal Representative, and sole beneficiary, Brian Allen Smith has filed his  
16 Waiver of Accounting and Consent. The Estate is allowed, confirmed, and finally settled in all  
17 respects by this Court without need for a formal accounting, and all actions taken by the Petitioner  
18 as Personal Representative set forth herein are ratified and approved.

19  
20 2. The Court approves the legal fees of \$5,875.00, and reimbursement of costs  
21 advanced in the amount of \$1,189.36 through September 3, 2013, and approves the legal fees and  
22 costs to close the probate administration in an amount not to exceed \$1,000.

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24 3. After payment of attorney's fees and costs, the entirety of Decedent's estate shall be  
25 distributed to Brian Allen Smith, the sole surviving beneficiary, including but not limited to the real  
26 property and stocks identified as follows.



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(A) The real property located at 617 Kelly Ct., Gardnerville, Nevada, more specifically described as:

APN 1220-21-810-142

Lot 303, as shown on the map of GARDNERVILLE RANCHOS UNIT NO. 7, filed for record in the office of the County Recorder of Douglas County, Nevada, on March 27, 1974 as Document No. 72456


(B) All the stocks, bank accounts, investment accounts and accounts at financial institutions owned by Decedent and Decedent's estate, specifically including, but not limited to:

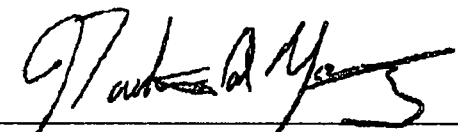
- AT&T - 504 Shares account ending #1566
- AT&T - 1356 Share account ending #1797
- Comcast - 206 Shares account ending #9160
- Verizon - 528 Shares account ending #07971
- Vodafone - 647 Shares (ADS) account ending #57W20
- Frontier Communications - 126 Shares account ending #0903
- Alcatel-Lucent - 78 shares (JP Morgan account 720001471)

4. The Petitioner is authorized and directed to do all things necessary and proper to effectuate the distribution of the estate funds as set forth above, and upon completion of the distribution, and filing a receipt of distribution, he Petitioner is honorably discharged and released from all liability to be hereafter incurred.

DATED: September 17, 2013.

*Submitted by:*

  
 \_\_\_\_\_  
 JENNIFER YTURBIDE, ESQ.  
 Nevada Bar Number 6450  
 Attorney for Petitioner  
 P.O. Box 2080  
 Minden, Nevada 89423  
 (775) 782-8141

  
 \_\_\_\_\_  
 NATHAN TOD YOUNG  
 DISTRICT COURT JUDGE



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4. The Petitioner is authorized and directed to do all things necessary and proper to effectuate the distribution of the estate funds as set forth above, and upon completion of the distribution, and filing a receipt of distribution, Petitioner is honorably discharged and released from all liability to be hereafter incurred.

DATED: September \_\_\_\_, 2013.

**Submitted by:**

---

JENNIFER YTURBIDE, ESQ.  
Nevada Bar Number 6450  
Attorney for Petitioner  
P.O. Box 2080  
Minden, Nevada 89423  
(775) 782-8141

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NATHAN TOD YOUNG  
DISTRICT COURT JUDGE



COPY

**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 September 17, 2013

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

By [Signature] Deputy