

APN# 1219-26-002-003

DOUGLAS COUNTY, NV 2015-856458

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MOONEY & BOETSCH LTD

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Recording Requested by:

Name: Patrick M. Mooney, Esq.

Address: 448 Hill Street

City/State/Zip: Reno, Nevada 89501



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KAREN ELLISON, RECORDER

When Recorded Mail to:

Name: Patrick M. Mooney, Esq.

Address: 448 Hill Street

City/State/Zip: Reno, Nevada 89501

(for Recorder's use only)

Mail Tax Statement to:

Name: _____

Address: _____

City/State/Zip: _____

ORDER SETTLING FIRST AND FINAL ACCOUNT;
ORDER AUTHORIZING AND DIRECTING PAYMENT OF ADMINISTRATIVE FEES AND COSTS;
AND DECREE OF FINAL DISTRIBUTION

(Title of Document)

Please complete Affirmation Statement below:

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons.
(Per NRS 239B.030)

-OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law:

(State specific law)

Attorney

Signature

Title

Patrick M. Mooney

Printed Name

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink.

(Additional recording fee applies)

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1 Dept. No. I

2 **FEB - 3 2015**

2015 FEB -3 PM 1:41

3 Douglas County
District Court Clerk

BOBBIE R. WILLIAMS
CLERK

4 BY D. HECIMOVIICH
DEPUTY

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

6 IN AND FOR THE COUNTY OF DOUGLAS

7
8 IN THE MATTER OF THE ESTATE

9 OF ALLAN R. WALKER

10 Deceased.

ORDER SETTLING FIRST AND FINAL
ACCOUNT; ORDER AUTHORIZING
AND DIRECTING PAYMENT OF
ADMINISTRATIVE FEES AND COSTS;
AND DECREE OF FINAL
DISTRIBUTION

11
12
13 THOMAS WALKER and MONIQUE L. MEINERT, Co-Personal

14 Representatives of the Estate of ALLAN R. WALKER, deceased, having filed the First and Final
15 Account and Report of Administrators; Petition for Confirmation and for Order Authorizing and
16 Directing Payment of Administrative Fees and Costs; and for Final Distribution, the petition
17 having come on regularly for hearing on the 3rd day of February, 2015, and no person having
18 appeared to contest the Petition, the Court now finds as follows:

19 1. Notice of the hearing of the petition has been regularly given as prescribed
20 by law.

21 2. All acts and transactions of the Personal Representatives of the Estate of
22 ALLAN R. WALKER, Deceased, during the period of the account are accurately shown and
23 should be approved, and all of the allegations of the petition are true. The account is complete
24 and correct and should be approved as filed.

25 3. ALLAN R. WALKER, Decedent, died intestate on the 30th day of June
26 2014 in Douglas County, Nevada. The Decedent, at the time of his death, was a resident of
27

1 Douglas County, Nevada, and left an estate in the State of Nevada subject to probate
2 administration.

3 4. On September 9, 2014, this Court entered its Order Admitting the Estate to
4 Probate and Issuing Letters of Administration, appointing Petitioners THOMAS WALKER and
5 MONIQUE L. MEINERT as Administrators with Full Authority Under the Independent
6 Administration of Estates Act.

7 5. Letters of Administration for THOMAS WALKER were filed with the
8 Court on September 9, 2014, and recorded with the Douglas County Recorder as Document
9 Number 0849804 on September 24, 2014.

10 6. Letters of Administration for MONIQUE L. MEINERT were filed with
11 the Court on September 9, 2014, and recorded with the Douglas County Recorder as Document
12 Number 0849803 on September 24, 2014.

13 7. Notice to creditors has been given as required by law, the time for filing or
14 presenting claims has expired, and the estate is now in a condition to be closed. No claims have
15 been filed or presented against the estate. All debts of the Decedent of the estate, and all
16 expenses of administration, except for attorneys' fees and costs and closing expenses, have been
17 paid.
18

19 8. An estate income tax return for 2014 will be filed as well as a fiduciary
20 income tax return for the estate. The Personal Representatives will leave \$10,000 in the estate
21 account until the income taxes are finalized and for payment of future possible costs/fees
22 associated with the estate tax return and to cover any other unforeseen contingencies.

23 9. At the commencement of this matter, the Administrator THOMAS
24 WALKER retained the services of SINAI, SCHROEDER, MOONEY, BOETSCH, BRADLEY
25 & PACE, which provides that PATRICK M. MOONEY, ESQ., be responsible for this matter.
26 The Administrator entered into a written fee agreement with SINAI, SCHROEDER, MOONEY,
27

1 BOETSCH, BRADLEY & PACE which provides that they will be paid based on statutory fees
2 as set forth in Section 150.060 of the Nevada Revised Statutes in effect at the time of any
3 petition for distribution in this matter. The current statutory fee is as follows:

4 4% of the first \$100,000
5 3% of the next \$100,000
6 2% of the next \$800,000
7 1% of the next \$9,000,000
8 .5% of the next \$15,000,000
9 For all amounts above \$25,000,000, a reasonable amount to be
10 determined by the court.

11 For purposes of determining compensation of an attorney, the value of the estate
12 accounted for by Personal Representatives is the total amount of the appraisal of property in the
13 inventory plus or minus any gains/losses.

14 The value of the estate as of Decedent's date of death, June 30, 2014, was
15 \$951,574.54. Four percent (4%) of the first \$100,000 is \$4,000; three percent (3%) of the next
16 \$100,000 is \$3,000; two percent (2%) of the next \$800,000 is \$15,031.49. Attorney's fees total
17 \$22,031.49.

18 SINAI, SCHROEDER, MOONEY, BOETSCH, BRADLEY & PACE incurred
19 costs totaling \$901.37.

20 10. The Personal Representatives have performed services in the
21 administration of this Estate for which they are entitled to fees as fixed by NRS 150.020.
22 However, the Personal Representatives expressly waived any and all fees that they may be
23 entitled to by law as such Personal Representatives.

24 11. Distribution of the assets of the estate should be ordered as specified
25 below.

26 BASED UPON THE FOREGOING, the Court hereby orders the following:

27 1. The administration of the estate of ALLAN R. WALKER, Decedent, is
28 settled, allowed and approved as filed without any further accounting.

1 2. The First and Final Account of the Personal Representatives is settled,
2 allowed and approved as filed.

3 3. All acts and transactions of the Personal Representatives as disclosed in
4 the First and Final Account are confirmed and approved.

5 4. The Personal Representatives are authorized and directed to pay the law
6 firm of SINAI, SCHROEDER, MOONEY, BOETSCH, BRADLEY & PACE the amounts of
7 \$22,031.49 as and for fees and \$ 901.37 for costs incurred.

8 5. The Personal Representatives shall leave a \$10,000 balance in the estate
9 checking account for payment of future possible costs/fees associated with the 2014 income tax
10 return and an estate fiduciary income tax return and future costs associated with the closing of
11 the estate case; and, to cover any other unforeseen contingencies.

12 6. That Decedent's entire estate be assigned and set apart, pursuant to
13 intestate succession, to Decedent's sons, THOMAS WALKER and KEITH WALKER, share and
14 share alike.

15 Per the agreement between the beneficiaries, the property of Decedent shall be
16 divided and adjusted as follows:

17 A. THOMAS WALKER shall receive Decedent's home located at 491
18 Purshia Hill Road, Gardnerville, Nevada, more particularly described as follows:

19 Assessor's Parcel No.: 1219-26-002-003

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

22 Being a Portion of Section 26, Township 12 North, Range 19 East,
23 M. D. B. and M. further described as follows:

24 Parcel 2B as set forth on that certain Parcel Map for Matthew C.
25 and Joyce S. Benson filed for record in the Office of the County
26 Recorder of Douglas County on November 4, 1988, in Book 1188,
27 Page 651, as Document No. 190040.

1 Based upon the agreed value of the home by the beneficiaries of \$550,000, and
2 after payment of the outstanding mortgage, THOMAS WALKER shall purchase KEITH
3 WALKER's equity interest in the property for ONE HUNDRED EIGHTY TWO THOUSAND
4 DOLLARS (\$182,000).

5 B. THOMAS WALKER shall receive the 1978 Ford Country Squire LTD
6 station wagon, VIN 8J74S153127.

7 THOMAS WALKER shall receive a reduced amount from estate funds in the
8 amount of \$1,998.00 (one-half of \$3,996.00 appraised value) as an offset to his brother's interest
9 in the vehicle.

10 C. KEITH WALKER shall receive the 2010 Ford Escape, VIN
11 1FMCU9EG1AKA95570.

12 KEITH WALKER shall receive a reduced amount from estate funds in the
13 amount of \$7,835.00 (one-half of \$15,670.00 Blue Book value) as an offset to his brother's
14 interest in the vehicle.

15
16 7. The remaining property inclusive of personal property; Vanguard Funds in
17 the approximate amount of \$386,588.51 as of June 30, 2014; and the Heritage Bank Checking
18 Account in the amount of \$70,708.23 after payment of administrative fees and costs, including
19 attorney's fees, shall be divided by the beneficiaries, THOMAS WALKER and KEITH
20 WALKER, in equal shares with exception to the offsets of THOMAS WALKER to KEITH
21 WALKER in the amount of \$1,998.00 and of KEITH WALKER to THOMAS WALKER in the
22 amount of \$7,835.00 for their respective vehicles that they are taking, and, leaving a \$10,000
23 balance in the estate checking account for payment of any future possible costs/fees associated
24 with the 2014 income tax return and fiduciary estate return or any future fees associated with the
25 closing of the estate case; and, to cover any other unforeseen contingencies.

26
27 8. That the Administrators either jointly or individually be authorized to
28

1 execute any and all documents to give full force and effect to the Court's final order of
2 distribution.

3 9. Any property interest of the Decedent or of the estate in any other property
4 not now known or discovered shall be distributed pursuant to intestate succession, NRS 134.090,
5 namely the Decedent's surviving sons, THOMAS WALKER and KEITH WALKER, share and
6 share alike, or to the survivor of them.

7 IT IS SO ORDERED this 3 day of February, 2015.


8
9
10 
11 DISTRICT JUDGE

12 Submitted by:

13 SINAI, SCHROEDER, MOONEY,
14 BOETSCH, BRADLEY & PACE

15
16 By 
17 Patrick M. Mooney

18
19
20
21
22
23 **CERTIFIED COPY**
24 The document to which this certificate is attached is a
25 full, true and correct copy of the original in file and of
26 record in my office.

27 DATE February 3, 2015
28 BOBBIE R. WILLIAMS Clerk of Court
of the State of Nevada, in and for the County of Douglas,
By  Deputy