

DOUGLAS COUNTY, NV

2016-887901

Rec:\$16.00

Total:\$16.00

09/22/2016 12:45 PM

HERITAGE LAW GROUP

Pgs=3

APN: 1319-27-000-005

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KAREN ELLISON, RECORDER

(DOCUMENT WILL ONLY BE RETURNED TO NAME & ADDRESS IDENTIFIED ABOVE)

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**ORDER FOR SUBSTITUTED JUDGMENT TO CREATE AND FUND REVOCABLE TRUST
AND EXECUTE A POUR-OVER WILL, TO EXECUTE A QUALIFIED DISCLAIMER,
AND FOR PAYMENT OF ATTORNEYS FEES AND COSTS**

FILED

JUL 15 2015

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SONOMA

BY [Signature] DEPUTY CLERK

1 LAUREN E. GARDNER, CSB 233598
2 Attorney at Law
3 Post Office Box 910
4 Cotati, California 94931

(707) 542-8384

5 Attorney for Conservator
6 RUSSELL BENS

THE WITHIN INSTRUMENT IS A CORRECT COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST: SEP 15 2016

Clerk of the Superior Court of California
County of Sonoma
By [Signature] Deputy Clerk



8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA

9
10 Conservatorship of the Person and Estate of:

11 ALEXANDRA BENS,
12 Conservatee.

CASE No. SPR-85369

ORDER FOR SUBSTITUTED JUDGMENT
TO CREATE AND FUND REVOCABLE
TRUST AND EXECUTE A POUR-OVER
WILL, TO EXECUTE A QUALIFIED
DISCLAIMER, AND FOR PAYMENT OF
ATTORNEYS FEES AND COSTS
(PROBATE CODE PrC §§2580(b)(5), (10)
and (13))

Date: July 15, 2015
Time: 8:30 a.m.
Dept: 18

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19 The petition by RUSSELL BENS for Substituted Judgment to Create and Fund Revocable
20 Trust and Execute a Pour-over Will, to Execute a Qualified Disclaimer, and for Payment of
21 Attorneys Fees and Costs came on for hearing on July 15, 2015, in Department 18, of the above-
22 entitled court, the Honorable Nancy Case Shaffer, Judge Presiding. Lauren E. Gardner appeared as
23 attorney for Petitioner. No one appeared in opposition. After examining the petition and hearing all
24 the evidence, the Court hereby finds that:

- 25 1. All notices have been given as required by law.

26 IT IS ORDERED THAT:

- 27 1. Russell T. Bens, as conservator of the estate of Alexandra S. Bens is authorized to
28 execute the trust attached as Exhibit A to the petition on behalf of Alexandra S. Bens, under

1 Probate Code §2580(b)(5);

2 2. Russell T. Bens, as conservator of the estate of Alexandra S. Bens, is authorized to
3 execute the Will attached as Exhibit B to the petition on behalf of Alexandra S. Bens, under Probate
4 Code §2580(b)(13);

5 3. Russell T. Bens, as conservator of the estate of Alexandra S. Bens, is authorized to
6 transfer the assets listed on Exhibit C of the petition, together with any other of Alexandra S. Bens'
7 assets that may come into the conservator's knowledge and possession, to Russell T. Bens, as
8 trustee of the Bens Family Trust, under Probate Code §2580;

9 4. Russell T. Bens, as conservator of the estate of Alexandra S. Bens, is authorized to
10 execute a Qualified Disclaimer of \$425,683.25 of the Mimi W. Prentice Revocable Trust and/or the
11 Spelman Prentice Trust;

12 5. Russell T. Bens, as conservator of the estate of Alexandra S. Bens, shall pay to Tricia A.
13 Shindlecker the sum of \$2,660.00 for her fees associated with the drafting of the estate plan for
14 the conservatee that is the subject of this Petition;

15 6. Russell T. Bens, as conservator of the estate of Alexandra S. Bens, shall pay to Lauren E.
16 Gardner the sum of \$5,627.50 for her fees and costs associated with the representation of
17 Conservator in the conservatorship administration and this substituted judgment proceeding;

18 7. The issue of payment of fees and costs to to Albert G. Handelman is continued to August
19 14, 2015. The parties are ordered to meet and confer relative to the request of Albert G.
20 Handelman for fees and costs; and

21 8. Upon delivering the property to the Trustee and filing proper receipts, the surety on
22 conservator's bond be discharged; and

23 9. Unless specific waivers by all residual beneficiaries
24 are filed, the requirement of CRC 7.903(c)(8) shall be required.

24 Date: 7/15/15

Nancy Case Shaffer
NANCY CASE SHAFFER
Judge of the Superior Court