DOUGLAS COUNTY, NV Rec:\$18.00 Total:\$18.00

2017-895725 03/08/2017 12:41 PM

ROWE HALES YTURBIDE

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APN# 1022-14-001-025	00051997201708957250050056
Recording Requested by/Mail to:	KAREN ELLISON, RECORDER
Name: Janet Hutchinson	\ \
Address: 4095 Highway 208	\ \
City/State/Zip: Wellington, NV 39444	\\
Mail Tax Statements to:	
Name: La Same as above	
Address:	
City/State/Zip:	
order approving the waiver of t	he First and final account,
Title of Document (required) タル ナル (Only use if applicable)	pproving attorney's fees, approving edistribution of the Estate ect to a lien to the State of closing the
The undersigned hereby affirms that the document submitte	ed for recording
contains personal information as required by law: (check	(applicable)
Affidavit of Death NRS 440.380(1)(A) & NRS	40.525(5)
Judgment – NRS 17.150(4)	
Military Discharge – NRS 419.020(2)	
Signature	
Jennifer Christensen	
Printed Name	
This document is being (re-)recorded to correct document #	, and is correcting

1 DEPT. NO. I 2 3 4 Mailing Address P.O Box 2080 Minden, NV 89423 Facsimile (775)782-3685 5 6 7 8 9 10 11 12 Rowe Hales Yturbide 13 Attorneys At Law 14 15 16 17 18 19 20 21 38 Esmeralda Street 4inden, NV 89423 (775) 782-8141 22 23 24 25 26 27 28

CASE NO.16-PB-0087

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BOBBIE R. WILLIAMS

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF

IN AND FOR THE COUNTY OF DOUGLAS

In the Matter of the Estate of:

GWENDOLYN A CHESHIRE

Deceased.

ORDER APPROVING THE WAIVER OF THE FIRST AND FINAL ACCOUNT, APPROVING ATTORNEY'S FEES, APPROVING THE DISTRIBUTION OF THE ESTATE SUBJECT TO A LIEN TO THE STATE OF NEVADA AND TO **CLOSING THE ESTATE**

This matter came before this court on the 28th day of February, 2017. Petitioners attorney James R. Hales, of Rowe Hales Yturbide, was present and other appearances were as noted on the record.

The Court finds as follows:

- Gwendolyn A. Cheshire died on or about the 2ndday of May, 2011, in Douglas County, Nevada.
- 2. On September 20, 2016, this Court appointed the Petitioner as Personal Representative in this matter and waived the bond. Petitioner is the sole beneficiary of the estate.
 - 3. Petitioner gave Notice to Creditors as required by law.
- A single claim was filed in response to the Notice to Creditors. The claim was filed 4. by the State of Nevada and is for Medicaid Recovery for a total amount of \$51,189.81. Petitioner approved the claim.

///

- 5. On December 13, 2016, the Inventory, Appraisement and Record of Value was filed with this Court. The Inventory on file shows the total value of the estate at the time of death to be \$177,000.00 all of which is attributed to the sole asset of the estate, real property located in Douglas County, Nevada. There are no outstanding loans secured by any of the property and thus there are no debts of the estate.
- 6. Petitioner resides in the home which is the subject of this estate and desires to remain in the home and that the title to the home be transferred to her.
- 7. Because there is no cash in the estate the State of Nevada has agreed that in lieu of receiving cash for the claim it will accept a lien on the home in the amount of the claim. Accordingly, Petitioner and the State of Nevada have agreed to request that as part of the order distributing the estate, the Court order that the property be subject to a lien of \$51,189.81 in favor of the State of Nevada which order will be recorded on the property to perfect the lien.
- 8. Petitioner retained Rowe Hales Yturbide as attorneys for the estate and for the Personal Representative. Rowe Hales Yturbide is entitled to reasonable fees for services rendered.
- 9. While functioning as the attorney for the Estate and Petitioner, Rowe Hales Yturbide advanced certain costs associated with the administration of the estate. Petitioner has paid these costs with her personal funds.
- 10. Petitioners's counsel will spend additional time closing the estate and that additional time should not exceed a value of \$750. The fees incurred and an additional \$750 of fees are fair and appropriate and should be paid to Petitioner's counsel. She has agreed to pay those fees from her personal funds.
- 11. Pursuant to NRS 134.090, Petitioner is the sole beneficiary of the estate. The property of the estate subject to the above mentioned lien should be distributed to her as trustee of her revocable trust.

- 12. At all times since receiving possession of the estate assets, Petitioner has acted in full compliance with her fiduciary obligations and has performed all obligations as required by state and federal law.
 - 13. Notice of this hearing has been given as required by Nevada law.

 Now therefore it is hereby ordered as follows:
 - 1. The Petitioner is allowed to waive the accounting.
- 2. The Petitioner shall pay to Rowe Hales Yturbide the sum of \$3,600 plus up to an additional \$750 as reasonable fees for services rendered. If additional costs are incurred by Rowe Hales Yturbide Petitioner shall reimburse those costs.
- 3. Petition shall sign a deed transferring the estate property to her. The property to be transferred is described as:

Physical address: Nevada; 4095 HWY 208, Wellington, NV 89448

Parcel 1, as shown on Parcel Map No. LDA 98-067 for George Asay and Sheri Asay, being a portion of the Northeast 1/4 of the Northwest 1/4 of Section 14, Township 10 North, Range 22 East, M.D.B.M., Douglas County, Nevada; Recorded December 30, 1999, in Book 1299, Page 5631, as Document No. 483621.

4. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that title to the real property commonly described as 4095 Highway 208, Wellington, Nevada, 89444 (APN 1022-14-001-025) shall be transferred to JANET HUTCHINSON subject to a lien in the amount of FIFTY-ONE THOUSAND, ONE HUNDRED EIGHTY-NINE DOLLARS AND EIGHTY-ONE CENTS (\$51,189.81) in favor of the Nevada Department of Health and Human Services, Division of Health Care Financing and Policy (NEVADA MEDICAID) for Medicaid claims paid on behalf of SIDNEY CHESHIRE. NEVADA MEDICAID shall have a recorded lien upon the fifty percent (50%) interest in the real property once held by SIDNEY CHESHIRE. NEVADA MEDICAID's lien is fully enforceable upon the sale and/or the transfer of subject property notwithstanding transfer of title to

the heir described above herein. NEVADA MEDICAID's lien is in lieu of direct recovery of its recovery claim.

5. 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, order that the Petitioner be discharged.

Done in open Court this 28th day of February, 2017.

SISTRICT JUDGE

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.