DOUGLAS COUNTY, NV Rec:\$18.00

Total:\$18.00

2017-896986 04/10/2017 11:15 AM

ALLISON MACKENZIE, LTD

Pgs=5

APN: 1420-18-113-021

RECORDING REQUESTED BY JOEL W. LOCKE, ESQ. ALLISON MacKENZIE, LTD. P.O. Box 646 Carson City, NV 89702

WHEN RECORDED MAIL TO JOEL W. LOCKE, ESQ. ALLISON MacKENZIE, LTD. P.O. Box 646 Carson City, NV 89702

MAIL TAX STATEMENTS TO: Teresa M. Allen 3353Vista Grand Blvd. Indian Hills, NV 89705

■The party executing this document hereby affirms that this document submitted for recording does not contain the social security number of any person or persons pursuent to NRS 239B.030

Signature

KAREN ELLISON, RECORDER

SPACE ABOVE THIS LINE RESERVED FOR **RECORDER'S USE**

ORDER SETTING ASIDE ESTATE

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		FILED		
1	Case No.: 17-PB-0018	47 ADD 3 D1 27		
2	Dept. No.: II	17 APR -3 P1:37		
3	The party executing this document hereby affirms	BOBBIE R. WILLIAMS		
4	that this document submitted for filing DOES contain the social security number of a deceased	BY A NEW TOPHUTY		
5	person or persons.	\ \		
6	IN THE NINTH JUDICIAL DISTRICT COURT	OF THE STATE OF NEVADA		
7	IN AND FOR THE COUNTY OF DOUGLAS			
8	-000-			
9	IN THE MATTER OF THE ESTATE	o armanya yayna nanyan		
10	OF ORDE	R SETTING ASIDE ESTATE		
11	JAMES L. ALLEN,))		
12	Deceased.	/ /		
13		/		

The Court has considered the verified Petition to Set Aside Estate Without Administration filed herein by Petitioner, THERESA M. ALLEN (hereinafter "Petitioner"), a hearing thereon having been had this day in open Court, due notice of which was proved; no person objecting; and the Court, having reviewed the evidence, read the papers, and considered the matter, now finds and determines as follows:

I.

DECEDENT

That JAMES L. ALLEN, (hereinafter referred to as "Decedent"), died on January 2, 2017, being at the time of his death a resident of and domiciled in Douglas County, State of Nevada, leaving an estate in Nevada, as more particularly described herein.

II.

LAST WILL AND TESTAMENT

That Petitioner is informed and believes that Decedent left no Last Will and Testament and died intestate.

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E-Mail Address: law@allisonmackenzie.com

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III.

DECEDENT'S ESTATE

That Petitioner is informed and believes that the estimated value of the decedent's estate subject to administration in the State of Nevada is less than One Hundred Thousand and No/100 Dollars (\$100,000.00). That the Decedent had the following assets subject to probate administration:

Real property located at 3353 Vista Grand Bl, Indian Hills, Nevada, 89705 APN: 1420-18-113-021, more specifically described as:

> Lot 219 of Block C as shown on the plat of SILVERADO HEIGHTS NO. 2, filed for record in the Office of the County Recorder of Douglas County, Nevada, on June 20, 1979, as Document No. 33717.

The Decedent held the above described property with Petitioner as husband and wife (community property), and not in joint tenancy. As such, the decedent's community property interest in the real property is subject to probate administration. The real property is encumbered by two mortgages and there is equity of approximately Eighty Thousand and No/100 Dollars (\$80,000.00) in the property. As such, the decedent's one-half interest in said real property is subject to probate administration, or the amount of Forty Thousand and No/100 Dollars (\$40,000.00).

That Petitioner, as sole devisee of the decedent's estate, moved this Court to waive any appraisal on said property, and such motion is granted.

DEBTS OF DECEDENT

That so far as known to Petitioner, the debts and last expenses of the Decedent have been paid and there are no known creditors.

V.

HEIRS AND NEXT-OF-KIN

That so far known to Petitioner, the names, relationships, ages, and addresses of the heirs and next-of-kin of Decedent are as follows:

NAME Theresa M. Allen	Spouse Spouse	AGE Adult	ADDRESS 3353 Vista Grande Blvd. Carson City, NV 89705
Christina M. Allen	Daughter	Adult	P.O. Box 33732 Reno, NV 89533

E-Mail Address: law@allisonmackenzie.com

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Jennifer E. Allen Daughter Adult 61383 Merriewood Circle Bend, OR 97702

VI.

ATTORNEYS' FEES AND COSTS

That it was necessary for the Petitioner to retain the services of an attorney to Petition the Court to set aside the estate, and said attorneys have waived fees (pro bono), but should be reimbursed for all costs associated with the administration in the amount of \$299.50.

VII.

WELFARE BENEFITS

That so far as known to Petitioner, the Decedent was not a recipient of benefits from the Department of Health and Human Services of the State of Nevada.

VIII.

DISTRIBUTION OF ESTATE

Pursuant to NRS 146.070(3), (4), if the decedent is survived by a spouse, the court must set aside the estate for the benefit of the surviving spouse without the payment of creditors except as the court finds necessary to prevent a manifest injustice. That pursuant to NRS 146.070, Petitioner hereby requests that this Court set aside the Decedent's entire estate to Decedent's wife, THERESA M. ALLEN.

IX.

NONPROBATE TRANSFERS

That Pursuant to NRS 146.070(9), if the petition seeks to have the estate set aside for the benefit of decedent's surviving spouse without payment to creditors, the petition must also contain a specific description and estimated value of property passing by one or more nonprobate transfers from the decedent to the surviving spouse. That so far as known to Petitioner, the description and estimated value of property passing by one or more nonprobate transfers from the Decedent to the surviving spouse are as follows: a tenancy in fee simple (marital home) to the real property located at 3353 Vista Grand Blvd, Carson City, Nevada 89705.

///

That all appraisals for the decedent's property are waived. That decedent's estate subject to administration in the State of Nevada does not exceed One Hundred Thousand and No/100 Dollars (\$100,000.00).

4. That Petitioner is authorized and directed to pay to Allison MacKenzie, Ltd., costs advanced in the amount of \$299.50.

NOW THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

That all notices as required by law have been given in this matter.

5. That the Decedent's entire estate, now known or hereinafter discovered, to Decedent's spouse THERESA M. ALLEN without payment to creditors. Specifically, the following assets are set aside to THERESA M. ALLEN:

Real property located at 3353 Vista Grand Bl, Indian Hills, Nevada, 89705 APN: 1420-18-113-021, more specifically described as:

Lot 219 of Block C as shown on the plat of SILVERADO HEIGHTS NO. 2, filed for record in the Office of the County Recorder of Douglas County, Nevada, on June 20, 1979, as Document No. 33717.

DATED this 300 day of April , 2017

DISTRICT JUDGE

4848-5070-5219, v.

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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.

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EN ATTE	-4 i	-	/ i /
DATE	. 1	-	, , ,

BOBBIE R. WILLIAMS Clerk of Court

of the State of Névada, in arid for the County of Douglas,

y Provide Deputy