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APN# 1420-07-818-027



KAREN ELLISON, RECORDER

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Affidavit of Death – NRS 440.380(1)(A) & NRS 40.525(5)

Judgment – NRS 17.150(4)

Military Discharge – NRS 419.020(2)

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BY ~~A. NEWTON~~ DEPUTY

1 CASE NO. 16-PB-0105

2 DEPT. NO. I

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

7 IN AND FOR THE COUNTY OF DOUGLAS

9 IN THE MATTER OF THE ESTATE OF

10 CARL W. RASE,

11 Deceased.

12 _____ /
13
14 **ORDER APPROVING PETITION FOR ORDER WAIVING ACCOUNTING,**
15 **SETTLEMENT OF FIRST AND FINAL ACCOUNT, FOR APPROVAL OF PERSONAL**
16 **REPRESENTATIVE COMPENSATION AND ATTORNEY'S FEES, TO APPROVE**
17 **DISTRIBUTION OF THE ESTATE, AND TO CLOSE THE ESTATE**

18 This matter came on before the Court this 4th day of April, 2017, regularly for hearing on the
19 Petition of JOHN C. GIOMI for Order Waiving Accounting, Settlement of First and Final Account, for
20 Approval of Personal Representative Compensation and Attorney's Fees, to Approve Distribution of
21 the Estate, and to Close the Estate .

22 No person appeared to contest the petition. On proof made to the satisfaction of the court, the
23 Court finds that all notices of the hearing have been duly given as required by law and that the facts
24 alleged in the petition are true, and grants the petition as follows:

25 THE COURT HEREBY FINDS and ORDERS:

26 1. CARL W. RASE died on the 30th day of July , 2016 in Carson City, Nevada. On the
27 date of his death CARL W. RASE was a resident of the County of Douglas, State of Nevada.

28 2. Decedent's Will dated May 24, 2012, was admitted to probate by order of this Court

1 dated on October 11, 2016.

2 3. On October 11, 2016, this Court appointed the Petitioner as Personal Representative
3 in this matter.

4 4. On October 11, 2016, the Personal Representative caused a Notice to Creditors to be
5 given in the manner and for the time required by law. Specifically, the Personal Representative caused
6 notice to be published in the Record Courier on October 16, 23, and 30, 2016.

7 5. No claims have been filed in response to the Notice to Creditors. Petitioner has paid
8 all known debts of Decedent, and has caused all necessary tax returns to be filed. There are no other
9 claims of which Petitioner is aware, and the time period for filing a claim has expired, and there is no
10 reason known to Petitioner why the estate cannot be distributed.

11 6. The Inventory, Appraisalment and Record of Value was filed with this Court on December
12 12, 2016. The total value of the estate was stated \$2,786,070.63, and comprised an interest in real
13 property in Carson City, Nevada and other personal property.

14 7. The Last Will and Testament provided that Art and Pat Baer receive \$10,000 and that
15 the Decedent's brother, Daniel Rase, receive a specific bequest of all Decedent's silver dollar collection,
16 coin collection and stamp collection , and the residual estate.

17 8. The Baers have received \$10,000 and signed a Receipt.

18 9. Daniel Rase has partially disclaimed any interest in the residual estate. Furthermore,
19 Daniel Rase has instructed the Personal Representative to deliver his special bequest in person to his
20 son D. Jeremy Rase when he next travels to Nevada. The very nature of the collections are too valuable
21 to transport to Daniel Rase's residence in New York, and he prefers that they be entrusted to his son for
22 personal delivery to him.

23 10. In light of the disclaimer, and in accordance with the Last Will and Testament, the issue
24 of Daniel Rase shall receive the residual estate. Daniel Rase has two children: D. Jeremy Rase and
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1 Kimberly R. Sienkiewicz.

2 11. A formal accounting is waived by the beneficiaries of Decedent.

3 12. Decedent was not married at the time of his death, and therefore is not survived by a
4 spouse.

5 13. Petitioner is the named and appointed Personal Representative. Personal
6 Representative is entitled to compensation according to NRS 150.020 which provides in relevant part
7 as follows:
8

9 “NRS 150.020 General compensation.

10 1. If no compensation is provided by the will, or the personal representative renounces
11 all claims thereto, fees must be allowed upon the whole amount of the estate which has
12 been accounted for, less liens and encumbrances, as follows:

13 (a) For the first \$15,000, at the rate of 4 percent.

14 (b) For the next \$85,000, at the rate of 3 percent.

15 (c) For all above \$100,000, at the rate of 2 percent.”

16 The fee that should be paid the Personal Representative is \$56,871.

17 14. Petitioner retained Rowe Hales Yturbide, LLP as attorney for the estate and for the
18 Personal Representative and entered into a written fee agreement setting forth the statutory formula for
19 ordinary compensation set forth in NRS 150.060(4). The allowable compensation of the attorney for
20 ordinary services is determined by NRS 150.060(4), as follows:
21

22 “(a) For the first \$100,000, at the rate of 4 percent;

23 (b) For the next \$100,000, at the rate of 3 percent;

24 (c) For the next \$800,000, at the rate of 2 percent;

25 (d) For the next \$9,000,000, at the rate of 1 percent;

26 (e) For the next \$15,000,000, at the rate of 0.5 percent; and

27 (f) For all amounts above \$25,000,000, a reasonable amount to be determined by the court.”
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Costs have been incurred in the amount of \$918.52.

The fees that should be paid to attorney for personal representative are \$40,861.

15. Following payment of the Personal Representative, the attorney and accountant, D. Jeremy Rase will be distributed the real property. The other assets will be divided in kind between the beneficiaries so that the distribution is equal. Beneficiaries have approved of the proposed distribution and waived formal accounting.

NOW THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Estate is allowed, confirmed, and finally settled in all respects by this Court without need for a formal accounting, and all actions taken by the Personal Representative set forth are ratified and approved.

2. The Court approves the disclaimer by Daniel Rase and approves special bequest to Art and Pat Baer and to Daniel Rase.

3. The Court approves the legal fees and costs of \$40,861 plus costs of \$918.52 for probate administration of the Estate.

4. The Court approves Personal Representative compensation of \$56,871.

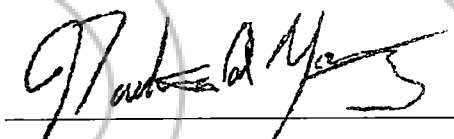
5. After payment of attorney's fees and costs, and accounting expenses, the entirety of Decedent's estate shall be distributed as set forth in the Distribution Worksheet attached as Exhibit 7 to the Petition.

6. The Court approves the form of the Personal Representative's Deed attached as Exhibit 8 to the Petition and directs the Personal Representative to sign said deed in favor of D. Jeremy Rase conveying the Estate's interest in 3412 Princeton, Carson City, NV, APN:1420-07-818-027, and the

1 balance of the assets to D. Jeremy Rase and Kimberly R. Sienkiewicz as set forth herein.

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3 7. The Court orders the Personal Representative to do all things necessary and proper to
4 effectuate the distribution of the estate funds and to execute all instruments necessary and proper to
5 distribute the real property interest as set forth above, and upon completion of the distribution, and filing
6 a receipt of distribution, order that the Personal Representative be honorably discharged and released
7 from all liability to be hereafter incurred.

8 Done in open court this 4 day of April, 2017.



NATHAN TOD YOUNG
DISTRICT COURT JUDGE

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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.

DATE 4-4-17

BOBBIE R. WILLIAMS Clerk of Court
of the State of Nevada, in and for the County of Douglas,

By ANEM Deputy