

DOUGLAS COUNTY, NV

2018-912344

RPTT:\$0.00 Rec:\$35.00

\$35.00 Pgs=12

04/02/2018 02:43 PM

REESE KINTZ, LLC

KAREN ELLISON, RECORDER

E07

APN: 42-261-12

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

SUSANNA KINTZ, ESQ.
REESE KINTZ, LLC
916 SOUTHWOOD BLVD, #3A
INCLINE VILLAGE, NV 89451

MAIL TAX STATEMENT TO:

Patricia Sue Mason-Cook
1107 Palou Drive
Pacifica, CA 94044

Space above this line for recorder's use

The undersigned grantor declares RPTT is \$0.00

EXEMPT NRS 375.090(7)

A transfer of title to or from a trust, if the transfer is made without consideration.

GRANT DEED

PURSUANT TO THE ORDER of the Ninth Judicial District Court of the State of Nevada, County of Douglas, *In the Matter of the Estate of Betty Jean Brown*, Case No. 18-PB-0018, issued on February 20, 2018, a copy of which is attached hereto as Exhibit A and incorporated herein, for no consideration, GRANTOR: PATRICIA SUE MASON-COOK, as Trustee of Betty Jean Brown Revocable Living Trust dated December 18, 2014, hereby GRANTS, BARGAINS, SELLS and CONVEYS to GRANTEE, PATRICIA SUE MASON-COOK, as Trustee of Betty Jean Brown Revocable Living Trust dated December 18, 2014, all BETTY JEAN BROWN'S right, title and interest in and to the real property in Douglas County, State of Nevada and more particularly described in Exhibit B and Exhibit C attached hereto and incorporated by this reference.

APN: 42-261-12

TOGETHER WITH all improvements, tenements, hereditaments and appurtenances thereunto belonging or appertaining, and any reversions, remainders, rents, issues and profits thereof.

This deed was prepared without the benefit of a title search and the description of the property was furnished by the parties. The preparer of this deed assumes no liability whatsoever either for the accuracy of the legal description or the status of the title to the property.

IN WITNESS WHEREOF, the undersigned have executed this conveyance, this 26 day of March, 2018.

By: [Signature]
PATRICIA SUE MASON-COOK,
Trustee of Betty Jean Brown Revocable Living
Trust dated December 18, 2014

A notary public or other office completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document

STATE OF CALIFORNIA)

) ss.

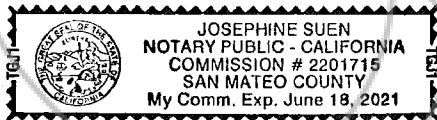
COUNTY OF SAN MATEO)

On MARCH 26TH, 2018 before me, JOSEPHINE SUEN, a notary public, personally appeared PATRICIA SUE MASON-COOK, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Seal]



[Signature]
Notary Public
My commission expires: 06-18-2021

EXHIBIT "A"
COURT ORDER

COPY

1 Case No. 18-PB-0018
2 Dept. No. I

RECEIVED

FEB 16 2018

Douglas County
District Court Clerk

FILED

2018 FEB 20 PM 2:24

BOBBIE R. WILLIAMS
CLERK

A. NEWTON
BY _____ DEPUTY

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8 **THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
9 **IN AND FOR THE COUNTY OF DOUGLAS**

10 In the Matter of the Estate of

Claim No.: 18-PB-0018

11 **BETTY JEAN BROWN,**

DEPT. NO.: I

12
13 Deceased.

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16 **ORDER APPROVING:**

17 **PETITION TO SET ASIDE ESTATE WITHOUT ADMINISTRATION**

18 The verified Petition to Set Aside Estate Without Administration filed by PATRICIA SUE
19 MASON-COOK came on regularly for hearing on Tuesday, February 20, 2018. Notice of the Hearing
20 has been given to the persons and in the manner required by law and the Court having reviewed the
verified Petition finds as follows:

21 1. BETTY JEAN BROWN ("Decedent") died on May 10, 2017, in the City of Pacifica,
22 County of San Mateo, State of California. Decedent was, at the time of her death, a resident of San
23 Mateo County, California.

24 2. The Decedent's husband, JOSEPH MASON BROWN, JR., who predeceased the
25 Decedent by 2 years and 7 months, died on or about October 21, 2014, in the City of Pacifica,
26 County of San Mateo, State of California. Joseph Mason Brown, Jr. died intestate.

27 3. A certified copy of Decedent's Last Will and Testament dated December 18, 2014
28 (the "Will") that was lodged in San Mateo County, California on November 22, 2017. Decedent's

1 Last Will and Testament was duly witnessed and is self-proving; satisfying the requirements of
2 NRS 133.050 and Section 8220 of the California Probate Code.

3 4. Decedent's Will was a pour over will that bequeaths all her assets to her trust. There
4 are no known Amendments or Restatements to the Trust.

5 5. Petitioner is Executor of Decedent's Will and the successor Trustee of the Trust.

6 6. At the time of Decedent's husband's death, Decedent and her husband owned three
7 (3) timeshare interests situated in the State of Nevada at Ridge Tahoe Timeshare in Stateline,
8 Nevada (the "Timeshares").

9 7. The Timeshares had no liens or mortgages at the date of Decedent's death.

10 8. The total value for the three (3) weeks of use of the Timeshares is estimated to be
11 \$2847.

12 9. Petitioner is not aware of any debts owed by the Decedent at the time of her death.

13 10. N.R.S. §146.070 provides that, if a person dies leaving an estate with a gross value
14 that does not exceed \$100,000, the Court may order that the estate not be administered upon, but the
15 whole estate be assigned to the claimants entitled to the estate pursuant to a valid will of the
16 decedent, after payment of debts and funeral and last illness expenses.

17 11. Decedent and her husband held two (2) of the Timeshares as Community
18 Property, and one (1) of the Timeshares as Joint Tenants. Upon her husband's death, Decedent's
19 husband's interest in the three (3) Timeshares passed to Decedent as follows: the two timeshares
20 held as Community Property passed to Decedent as sole surviving spouse holding Community
21 Property pursuant to NRS 123.250(1)(b), and, the one (1) Timeshare held by Decedent and her
22 husband as Joint Tenants passed to the Decedent as sole surviving joint tenant pursuant to NRS
23 111.365.

24 12. The three (3) Timeshares are the only assets in Decedent's Estate in Nevada. The
25 Timeshares left by Decedent are the rights to:

26 (i) **The Ridge Tahoe Timeshare Unit No. 040 (Exhibit 6):** recorded as Instrument
27 No. 231494, Book 990, Pages 891-891 on September 10, 1990, 3704024A Plaza.
28 Specifically, the right to use Condominium No. 040 for one (1) week period in

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the Prime Season of each year. Prime Season is Defined in the Declaration of Annexation of the Ridge Tahoe Phase Five.

(ii) **The Ridge Tahoe Timeshare Unit No. 060 (Exhibit 7):** recorded as Instrument No. 231496, Book 990, Pages 896-897 on September 10, 1990, 3706044A Plaza: Specifically, the right to use Condominium No. 060 for a one (1) week period in the Swing Season of each year. Swing Season is Defined in the Declaration of Annexation of the Ridge Tahoe Phase Five.

(iii) **One Ridge Tahoe Timeshare Unit No. 012 (Exhibit 8):** recorded as Instrument No. 241295, Book No. 1290, Pages 2512-2514 on December 13, 1990, 3401211A Tower: Specifically, the right to use Condominium No. 12 for a one (1) week period within the Prime Season of each year. Prime Season is defined in the Amended Declaration of Annexation of Phase Three Establishing Phase Four.

13. The Time Shares were not retitled into Decedent's name following her husband's death, however, Decedent caused Affidavits of Death to be recorded with respect to each property.

14. NRS 123.250 (1)(b)(1) provides that a decedent's share of community property passes to the surviving spouse if the decedent does not otherwise dispose of his or her share by testamentary disposition. Here, Decedent's husband died intestate thus his half of the two properties held as community property passed to Decedent on his death (Unit 40 and Unit 60). Decedent caused an Affidavit of Death to be recorded with respect to the two properties held as community property on March 17, 2015. No person has asserted an adverse claim to the Timeshares.

15. NRS 111.365 provides that in the case of real property owned by two or more persons as joint tenants or as community property with right of survivorship, it is presumed that all title or interest in and to that real property of each deceased joint tenant or deceased spouse has terminated, and vested solely in the surviving joint tenant or spouse, if there has been an affidavit recorded in the office of the recorder of the county in which the real property is situated. Decedent caused an Affidavit of Death to be recorded with respect to the property held in joint tenancy with

1 right of survivorship on March 17, 2015. No person has asserted an adverse claim to the
2 Timeshares.

3 16. The names of the heirs and devisees of the Decedent, and their relationship to
4 Decedent, according to Article III of the Betty Jean Brown Revocable Living Trust, and their
5 current addresses and ages are as follows:

<u>Name and Address</u>	<u>Relationship</u>	<u>Address</u>	<u>Age:</u>
George Hampton Mason Jr	son	4455 Aldercrest Rd Oak Grove, OR 97222	70
Debra Lee Bowen	daughter	3015 W Seegar Avenue Visalia, CA 93277	66
Patricia Sue Mason Cook	daughter	1107 Palou Drive Pacifica, CA 94044	61

14 17. The above-named heirs are the sole children and heirs of Decedent's husband.

15 18. According to Article III of the Betty Jean Brown Revocable Living Trust,
16 Decedent's Estate is to be divided into equal shares one for each of her above-named children.

17 17. The Decedent has no predeceased child.

18 18. Petitioner has not been convicted of a felony.

19 Based on the preceding findings and good cause appearing,

20 IT IS ORDERED, ADJUDGED AND DECREED that:

21 A. That Unit #040 of the Ridge Tahoe Timeshare be set aside and distributed to Patricia Sue
22 Mason-Cook as the trustee of the Betty Jean Brown Revocable Living Trust dated December
23 18, 2014.

24 B. That Unit #060 of the Ridge Tahoe Timeshare be set aside and distributed to Patricia Sue
25 Mason-Cook as the trustee of the Betty Jean Brown Revocable Living Trust dated December
26 18, 2014.

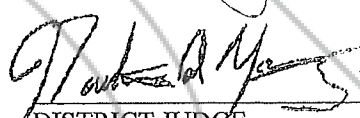
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- C. That Unit #012 of One Ridge Tahoe Timeshare be set aside and distributed to Patricia Sue Mason-Cook as the trustee of the Betty Jean Brown Revocable Living Trust dated December 18, 2014.
- D. That Patricia Sue Mason-Cook, Petitioner, is authorized to transfer title to the above referenced assets to herself as the trustee of the Betty Jean Brown Revocable Living Trust dated December 18, 2014 by execution of the appropriate transfer documents; and
- E. That the Holder of any of the above referenced assets of the Trust shall deliver the asset to Petitioner, as the trustee of the Betty Jean Brown Revocable Living Trust dated December 18, 2014, upon execution of the appropriate transfer documents; and
- F. That Patricia Sue Mason-Cook is authorized to sign any and all documents to transfer assets and accounts or otherwise proceed as provided in this Order.

IT IS SO ORDERED this 20 day of February, 2018.


DISTRICT JUDGE

Submitted by:
REESE KINTZ, LLC

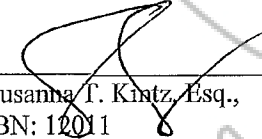
By: 
Susanna T. Kintz, Esq.,
SBN: 12011
Attorney for Petitioner

EXHIBIT "B"

LEGAL DESCRIPTION

A TIMESHARE ESTATE COMPRISED OF:

PARCEL ONE:

An undivided 1/51st interest in and to that certain condominium as follows:

- (A) An undivided 1/38th interest as tenants-in-common, in and to Lot 34 of Tahoe Village Unit No. 3 as shown on the Eighth Amended Map, recorded as Document No. 156903 of Official Records of Douglas County, State of Nevada. Except therefrom Units 001 to 038 as shown and defined on that certain Condominium Plan recorded June 22, 1987 as Document No. 156903 Official Records of Douglas County, State of Nevada.
- (B) Unit No. 012 as shown and defined on said Condominium Plan.

PARCEL TWO:

A non-exclusive right to use the real property known as Parcel "A" on the Official Map of Tahoe Village Unit No. 3, recorded January 22, 1973, as Document No. 63805, records of said county and state, for all those purposes provided for in the Declaration of Covenants, Conditions and Restrictions recorded January 11, 1973, as Document No. 63681, in Book 173, Page 229 of Official Records and in the modifications thereof recorded September 28, 1973 as Document No. 69063 in Book 973, Page 812 of Official Records and recorded July 2, 1976 as Document No. 1472 in Book 776, Page 87 of Official Records.

PARCEL THREE:

A non-exclusive easement for ingress and egress and recreational purposes and for the use and enjoyment and incidental purposes over, on and through Lots 29, 39, 40, and 41 as shown on Tahoe Village Unit No. 3 – Seventh Amended Map, recorded April 9, 1986 as Document No. 133178 of Official Records of Douglas County, State of Nevada and such recreational areas as may become a part of said timeshare project, for all those purposes provided for in the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions, recorded February 14, 1984, as Document No. 96758 of Official Records of Douglas County, State of Nevada.

PARCEL FOUR:

- (A) A non-exclusive easement for roadway and public utility purposes as granted to Harich Tahoe Developments in deed re-recorded December 8, 1981, as Document No. 63026, being over a portion of Parcel 26-A (described in Document No. 01112, recorded June 17, 1976) in Section 30, Township 13 North, Range 19 East,
- and -
- (B) An easement for ingress, egress and public utility purposes, 32' wide, the centerline of which is shown and described on the Seventh Amended Map of Tahoe Village No. 3, recorded April 9, 1986, as Document No. 133178 of Official Records, Douglas County, State of Nevada.

PARCEL FIVE:

The exclusive right to use a unit of the same Unit Type as described in the Amended Declaration of Annexation of Phase Three Establishing Phase Four, recorded on June 22, 1987, as Document No. 156904 of Official Records of Douglas County, in which an interest is hereby conveyed in conveyed in subparagraph (B) of Parcel One, and the non-exclusive right to use the real property referred to in subparagraph (A) of Parcel One and Parcels Two, Three and Four above for all of the Purposes provided for in the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions of the Ridge Tahoe, recorded February 14, 1984, as Document No. 96758 of Official Records of Douglas County, during ONE use week within the "Prime season", as said quoted term is defined in the Amended Declaration of Annexation of Phase Three Establishing Phase Four.

The above described exclusive rights may be applied to any available unit of the same Unit Type on Lot 34 during said use week within said "use season".

Exhibit C
Legal Description

A TIMESHARE ESTATE COMPRISED OF:

PARCEL ONE:

An undivided 1/51st interest in and to that certain condominium as follows:

- (A) An undivided 1/38th interest as tenants-in-common, in and to Lot 34 as shown on Tahoe Village Unit No. 3-10th Amended Map, Recorded September 21, 1990 as Document No. 235008, Official Records of Douglas County, State of Nevada. Except therefrom Units 001 through 038 (inclusive) as shown on that certain condominium Plan recorded June 22, 1987 as Document No. 156903 of Official Records of Douglas County, State of Nevada.
- (B) Unit No. 012 as shown and defined on said last Condominium Plan.

PARCEL TWO:

- (A) a non-exclusive easement for roadway and public utility purposes as granted to Harich Tahoe developments in deed re-recorded December 8, 1981, as Document No. 63026, being over a portion of Parcel 26-A (described in Document No. 01112, recorded June 17, 1976) in Section 30, Township 13 North, Range 19 East M.D.B. & M.; and
- (B) An easement for ingress, egress and public utility purposes, 32' wide, the centerline of which is shown and described on the Seventh Amended Map of Tahoe Village No. 3, recorded April 9, 1986, as Document No. 133178 of Official Records, Douglas County, State of Nevada.

PARCEL THREE:

A non-exclusive right to use the real property known as "Common Area" as shown on Tahoe Village Unit No. 3-10th Amended Map, Recorded September 21, 1990 as Document No. 235008 of the Douglas County Recorder's Office, Douglas County, Nevada, within Section 30, Township 13 North, range 19 East, M.D.B. & M. for all those purposes provided for in the Declaration of Covenant, Conditions, and Restrictions recorded January 11, 1973, as Document No. 63681, in book 173 Page 229 of Official Records and in modifications thereof: (1) recorded September 28, 1973, as Document No. 69063 in Book 973 Page 812 of Official Records; (2) recorded July 2, 1976, as Document No 1472 in Book 776 Page 87 of Official Records; and (3) recorded July 26, 1989, as Document No. 207446, in Book 789, Page 3011.

PARCEL FOUR:

A non-exclusive easement for ingress and egress and recreational purposes and for the use and enjoyment and incidental purposes over, on and through Lots 29, 30, 35, 39, 40, and 41 as shown on Tahoe Village Unit No. 3 – 10th Amended Map, Recorded September 21, 1990 as Document No. 235008 of the Douglas County Recorder's Office, Douglas County, Nevada, within Section 30, Township 13 North, Range 19 East M.D.B. & M. for all those purposes provided for in the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions, recorded February 14, 1984, as Document No. 96758 and as amended from time to time of Official Records of Douglas County, State of Nevada.

PARCEL FIVE:

The exclusive right to use a UNIT of the same Unit Type as described in the Amended Declaration of Annexation of Phase Three Establishing Phase Four, recorded on June 22, 1987, as Document No. 156904 of Official Records of Douglas County, in which an interest is hereby conveyed in subparagraph (B) of Parcel One, and the non-exclusive right to use the real property referred to in subparagraph (A) of Parcel One and Parcels Two, Three and Four above for all of the Purposes provided for in the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions of the Ridge Tahoe, recorded February 14, 1984, as Document No. 96758 of Official Records of Douglas County, during ONE use week within the "Prime season", as said quoted term is defined in the Amended Declaration of the same Unit Type on Lot 34 during said alternate use week within said "use season."

The above described exclusive rights may be applied to any available unit of the same Unit Type on Lot 34 during said use week within said "use season".

The above described exclusive rights may be applied to any available unit of the same Unit Type on Lot 34 during said use week within said "use season".

A Portion of APN 42-261-12

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s)
 a) 42-261-12
 b) _____
 c) _____
 d) _____

2. Type of Property:
 a) Vacant Land b) Single Fam. Res.
 c) Condo/Twnhse d) 2-4 Plex
 e) Apt. Bldg f) Comm'l/Ind'l
 g) Agricultural h) Mobile Home
 i) Other Timeshare

FOR RECORDERS OPTIONAL USE ONLY	
BOOK _____	PAGE _____
DATE OF RECORDING: _____	
NOTES: <u>Verified Trust - JS</u>	

3. Total Value/Sales Price of Property: \$ 0
 Deed in Lieu of Foreclosure Only (value of property) (0)
 Transfer Tax Value: \$ 0
 Real Property Transfer Tax Due: \$ 0

4. If Exemption Claimed:
 a. Transfer Tax Exemption per NRS 375.090, Section # 7
 b. Explain Reason for Exemption: A transfer of title to or from a trust, if the transfer is made without consideration.

5. Partial Interest: Percentage being transferred: _____ %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [Signature] Capacity Legal Assistant
 Signature [Signature] Capacity Legal Assistant

SELLER (GRANTOR) INFORMATION
(REQUIRED)
 Print Name: Patricia Sue Mason-Cook, as Trustee
 Address: 1107 Palou Drive
 City: Pacifica
 State: CA Zip: 94044

BUYER (GRANTEE) INFORMATION
(REQUIRED)
 Print Name: Patricia Sue Mason-Cook, as Trustee
 Address: 1107 Palou Drive
 City: Pacifica
 State: CA Zip: 94044

COMPANY/PERSON REQUESTING RECORDING
 (required if not the seller or buyer)
 Print Name: Reese Kintz, LLC Escrow # n/a
 Address: 916 Southwood Blvd. #3A
 City: Incline Village State: NV Zip: 89451