

DOUGLAS COUNTY, NV

2018-914632

Rec:\$35.00

\$35.00

Pgs=4

05/23/2018 01:21 PM

TICOR TITLE CARSON CITY- 307 WEST WINNIE

KAREN ELLISON, RECORDER

APN: 1220-04-101-032
ORDER NO.: 01801924-DC

TITLE OF DOCUMENT: ORDER CONFIRMING SUCCESSOR TRUSTEE AND
GRANTING ADVICE AND ISNTRUCTIONS

WHEN RECORDED MAIL TO:

Ticor Title Company
307 W. Winnie Lane
Carson City, Nevada 89703

RECEIVED

JUN 05 2017

Douglas County
District Court Clerk

FILED

2017 JUN -5 PM 2:13

BOBBIE R. WILLIAMS
CLERK

A. NEWTON DEPUTY

1 CASE NO. 17-PB-0036⁵⁶

2 DEPT. NO. II

3 *The undersigned affirms that this document*
4 **DOES NOT contain a Social Security Number.**

5
6
7 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR THE COUNTY OF DOUGLAS

9
10 In the Matter of the Estate of:

11 SHIRLEE L. JACOBS,

12 Deceased.

**ORDER CONFIRMING SUCCESSOR
TRUSTEE AND GRANTING ADVICE
AND INSTRUCTIONS**

13 _____ /
14
15 **THIS MATTER** came on before the Court on the 5th day of June, 2017 on the Verified
16 Petition for Confirmation of Successor Trustee; Estate Value Greater than \$200,000 ("Petition") filed
17 by Scott C. Jacobs, the nominated and currently serving Successor Trustee ("Petitioner" or "Trustee")
18 of the Jacobs Family Trust u.t.d. 25 March 1994, as amended ("Trust"). Present in Court was Michael
19 Smiley Rowe, Esq. of ROWE & HALES, LLP, and the Petitioner, Scott C. Jacobs. Other members of
20 the Decedent's family were present as reflected in the Court's Minutes.

21 The Court considered the requests made in the Petition as well as the information provided to
22 the Court in open Court at the time of the hearing.

23 Based on the allegations of the Petition and the comments made by the Petitioner and his
24 counsel in open Court, and good cause appearing:

25 **IT IS HEREBY ORDERED** that, pursuant to NRS 164.010(1), Scott C. Jacobs is hereby
26 confirmed as the Successor Trustee of the Jacobs Family Trust u.t.d. 25 March 1994, as amended, to
27 serve without bond as provided by the Grantor/Trustor in the Trust and also in the First Amendment.
28

Mailing Address
P.O. Box 2080
Minden, NV 89423
Facsimile (775)782-3685

Rowe & Hales, LLP
Attorneys At Law

Physical Address
1638 Esmeralda Street
Minden, NV 89423
(775) 782-8141

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BE IT FURTHER ORDERED that, pursuant to NRS 164.010(2) and NRS 164.015, the Court grants the Petition of the Trustee for advice and instructions concerning the internal affairs and the administration of the Trust, including advising and instructing the Trustee on the property that the Trustor intended to be included in the Trust estate.

BE IT FURTHER ORDERED, pursuant to NRS 164.010(1), the Court shall exercise jurisdiction over the Trust and its amendments as a proceeding *in rem*. The Court shall continue to exercise its *in rem* jurisdiction over the Trust for the purpose of entering this Order granting advice and instructions, and such jurisdiction shall continue until a petition is received and granted by this Court removing the trust from the continuing jurisdiction.

FINDINGS OF FACT

1. The Court finds that due and proper notice of the hearing on the Petition was provided by the Petitioner by service of the Notice of Hearing and the Petition by U.S. Mail.
2. In the Petition, Petitioner requested the Court to interpret the pour over provision contained in the Decedent’s Last Will and Testament in Article III. The Court finds that such a request is appropriate.

ORDER GRANTING ADVICE AND INSTRUCTIONS

Based upon the findings made by the Court as set forth above and as stated in open court, the Grantor/Trustor (“Decedent”) entered into that document attached to the Petition as Exhibit C entitled Last Will and Testament of Shirley L. Jacobs on 25 March 1994. In Article III “Disposition of Residue” of the Decedent’s Last Will and Testament, the Decedent gave, devised and bequeathed all of her property, of every kind or nature and wherever situated, including property over which she had the power of appointment, to Petitioner as the Successor Trustee of the Trust. Accordingly,

IT IS HEREBY ORDERED that all assets owned by the Decedent, of every kind or nature and wherever situated, whether in her own name or in the name of the Trust, whether real or personal property, shall be considered as Trust assets and shall be administered by the Petitioner, Scott C. Jacobs, serving as Successor Trustee of the Jacobs Family Trust u.t.d. 25 March 1994, as amended.

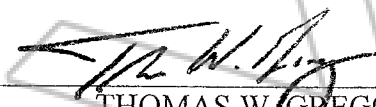
Mailing Address
P.O. Box 2080
Minden, NV 89423
Facsimile (775)782-3685

Rowe & Hales, LLP
Attorneys At Law


Physical Address
1638 Esmeralda Street
Minden, NV 89423
(775) 782-8141

1 BE IT FURTHER ORDERED that the Court shall continue to exercise its *in rem*
2 jurisdiction over the Trust for the purpose of entering this Order granting advice and instructions, and
3 future Orders granting advice and instructions should the need arise, and such jurisdiction shall continue
4 until a petition is received and granted by this Court removing the trust from the continuing jurisdiction.

5 DATED this 5th day of June, 2017.

6
7 
8 THOMAS W. GREGORY
DISTRICT COURT JUDGE

9 Submitted by:
10 ROWE & HALES, LLP

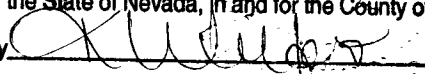
11 
12 MICHAEL SMILEY ROWE, ESQ.
13 Nevada Bar Number 1374
14 P.O. Box 2080
Minden, Nevada 89423
15 (775) 782-8141
16 Attorney for Petitioners

17
18
19
20
21
22
23
24
25
26
27
28
Rowe & Hales, LLP
Attorneys At Law

Physical Address
1638 Esmeralda Street
Minden, NV 89423
(775) 782-8141

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 7/5/17
BOBBIE R. WILLIAMS Clerk of Court
of the State of Nevada, in and for the County of Douglas,
By  Deputy