

DOUGLAS COUNTY, NV

2019-929509

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ETRCO

KAREN ELLISON, RECORDER

APN# : 1220-16-610-071

Recording Requested By:
Western Title Company, LLC

Escrow No.: 104200-CRF

When Recorded Mail To:

Richard Hogan

4995 Lakeridge Drive

Reno, NV

89509

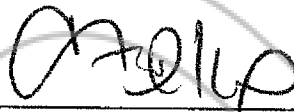
Mail Tax Statements to: (deeds only)

(space above for Recorder's use only)

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons.

(Per NRS 239B.030)

Signature _____



Colleen Felix

Escrow Officer

Petition for Distribution and Discharge

This page added to provide additional information required by NRS 111.312
(additional recording fee applies)

FILED

1 Case No. 08 PB 0023

2 Dept. No. I

2008 SEP 11 PM 4:26

TED THUAN
CLERK

BY *[Signature]* DEPUTY

RECEIVED

SEP 11 2008

DOUGLAS COUNTY
DISTRICT COURT CLERK

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

7 IN AND FOR DOUGLAS COUNTY

8 IN THE MATTER OF THE ESTATE)

9 OF)

) PETITION FOR DISTRIBUTION
) AND DISCHARGE

10 JEWEL EARLENE MENDES)

11 Deceased.)

12 Coexecutors RICHARD HOGAN and TRACY WEST hereby Petition the
13 Court for orders directing the distribution of the estate of the
14 deceased and for their being discharged as the Coexecutors
15 thereof.

16 As the basis for this Petition the Coexecutors state as
17 follows:

18 I

19 JEWEL EARLENE MENDES died on January 16, 2008, in Gardner-
20 ville, Nevada, and she was, at the date of death, a resident of
21 Douglas County, Nevada

22 II

23 On April 1, 2008, Richard Hogan and Tracy West were ordered
24 to serve as Coexecutors of the estate of the deceased at a
25 properly noticed hearing held on that date before the above
26 entitled court and Letters Testamentary were issued by the Clerk
27 of this court on that same date.

28

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FAX 882-9050

PETER J. SMITH
ATTORNEY AT LAW

500 W. SECOND ST.
CARSON CITY, NV 89703

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III

Notice to Creditors was given by mail as shown by the Certificates of Mailing on file herein and by publication in the Record Courier, as shown by the proof of publication on file herein.

IV

The 90 day period for the submission of Creditors' Claims has expired without the filing of any such claims with the court and without the service of any such claims on the Coexecutors or upon undersigned counsel.

V

The first and final accounting of the estate of the deceased showed that the assets of the estate have been properly marshalled, the debts of the estate have been determined and paid, that such payments should be ratified by the court and and that the estate is now in condition to be distributed.

VI

The Last Will and Testament of the Deceased provided that the estate of the deceased would be distributed as follows:

- 1) All jewelry and items of adornment to REILLY SHEA HOGAN.
- 2) Real property in Duckwater, Nye County, Nevada, to HUNTER JAMES HOGAN. Said real property is described as follows:
Parcel 7415, W 1/2 of the NW 1/4 of the SW 1/4, Sec. 5, T.12 N., R. 56 E., M.D.B.&M.
- 3) Twenty Dollar Gold piece and husband's diamond ring to HUNTER JAMES HOGAN.

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1 4) The rest and residue to be divided into 4 equal shares
2 and distributed one share each to RICHARD HOGAN, TRACY WEST,
3 HUNTER JAMES HOGAN and REILLY SHEA HOGAN.

4 VII

5 The will provides that 203 silver dollars and a World War II
6 rifle had been entrusted to RICHARD HOGAN by the deceased and
7 that their value should be deducted from his portion of the
8 distribution if they, or their value, had not been returned to
9 the deceased at the time of her death. Said items or the value
10 thereof had been returned to or retained by the deceased prior to
11 her death and there is no cause for deduction or offset of the
12 share of the estate to be distributed to RICHARD HOGAN.

13 VIII

14 REILLY SHEA HOGAN and HUNTER JAMES HOGAN are minor children
15 of RICHARD HOGAN and CHRISTINE HOGAN. The Last Will and Testa-
16 ment provides that if the deceased dies before said children,
17 that their inheritances shall be held in trust for their care,
18 support, maintenance and education.

19 IX

20 The language of the will attempts to nominate a trustee for
21 the minor children in the event that their father RICHARD HOGAN
22 does not survive the deceased but makes no provision for who
23 should be the trustee in the event that RICHARD HOGAN did survive
24 the deceased, which is the case.

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X

The portions of the estate of the deceased that are to be distributed for the benefit of the minor children should be distributed to their lawful parents, RICHARD HOGAN and CHRISTINE HOGAN acting as Joint Trustees of the Estates of REILLY SHEA HOGAN and HUNTER JAMES HOGAN according to the conditions and instructions set forth in the Last Will and Testament of the deceased.

XI

The Deceased left her residence and a promissory note secured by a deed of trust.

XII

Your Petitioners request that the Court order the Coexecutors to execute a deed for the property in Nye County to RICHARD HOGAN and CHRISTINE HOGAN as Trustees for HUNTER JAMES HOGAN, an assignment of the deed of trust to TRACY WEST, and a deed for the residence in three undivided one-third shares, one to RICHARD HOGAN and two undivided one third shares to the trustees for the minor heirs REILLY SHEA HOGAN and HUNTER JAMES HOGAN to be held for their benefit.

XIII

The legal description of the residence located in Douglas County, Nevada is as follows:

Lot 138, as said lot is shown on the Official Plat of Gardnerville Ranchos Unit No. 2, filed in the Office of the County Recorder of Douglas County, State of Nevada, on June 1, 1965, in Book 1 of Maps, filing No. 28369 and Title Sheet amended on June 4, 1965, Filing No. 28377

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XIV

The legal description of the real property subject to the deed of trust is as follows:

Lot 128, as set forth on the final Subdivision Map FSM-1006 of CHICHESTER ESTATES Phase 1, filed for record in the office of the County Recorder of Douglas County, State of Nevada, on September 12, 1995, in Book 995 at Page 1407, as Document No. 370215.

XV

The 1994 Buick Roadmaster should be distributed to TRACY WEST. The cash on hand, listed as \$56,089.31 in the Final Accounting filed herewith, should be distributed in four equal shares to the named heirs after payment of the costs of administration of this estate.

XVI

The balance of fees due for the legal services of the attorney for the Coexecutors, Peter J. Smith, is \$4,839.50 which has been determined to be reasonable and valid and is expected to be approved by the Court.

XVII

The Coexecutors claim their Executors' fees which are calculated according to statute, from the total of the assets shown on the Inventory filed herein, to be \$10,230 or \$5,115 for each Coexecutor.

XVIII

The Petitioners request that the Court direct the rest and residue of the estate to be distributed in undivided one third

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1 shares, one to RICHARD HOGAN and two to RICHARD HOGAN and CHRIS
2 TINE HOGAN as the trustees for the minor heirs REILLY SHEA HOGAN
3 and HUNTER JAMES HOGAN to be held for their benefit.

4 XIX

5 By distributing the note and deed of trust and the Buick to
6 TRACY WEST, the cash in four equal shares and the residence and
7 residue of personal property to RICHARD HOGAN and the two minor
8 heirs in undivided thirds, the testamentary wishes of the de-
9 ceased, that the residue of her estate be divided in one quarter
10 shares, will be effectively though not exactly met.

11 XX

12 This estate is now ready for final distribution.

13 PRAYER

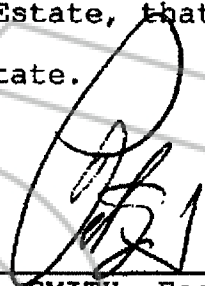
14 WHEREFORE The Coexecutors request that the Court find that
15 this estate to be ready for final distribution, that they be
16 directed to pay \$4,839.50 to Peter J. Smith, Esq. for the balance
17 of his attorney's fees and costs, that the debts of the deceased
18 shown as paid in the Final Accounting be approved by the Court,
19 that the Court order payment of the Executors' fees, that the
20 specific bequests of jewelry and adornments to be distributed to
21 REILLY SHEA HOGAN, the real property in Duckwater be deeded to
22 trustees for HUNTER JAMES HOGAN, the Twenty Dollar Gold piece and
23 husband's diamond ring, if and when found, be distributed to
24 HUNTER JAMES HOGAN, that the residue of the estate be distributed
25 or deeded to the four named heirs as set forth above, and that
26 RICHARD HOGAN and CHRISTINE HOGAN be declared the testamentary

27

1 trustees for the shares of the estate to be held for the benefit
2 of the 2 minor heirs according to the terms of the will.

3 The Coexecutors further request that, upon their having
4 completed all of these acts, and upon their filing of their
5 Certification of Distribution of the Estate, that they be dis-
6 charged as the Coexecutors of this estate.

7 DATED September 7, 2008



PETER J. SMITH, Esq.
Attorney for Estate

(775) 882-9441
FAX 882-9098

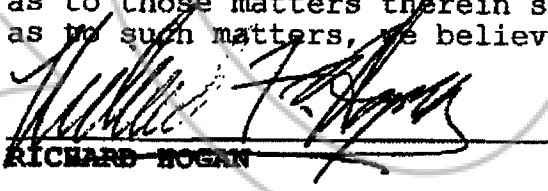
PETER J. SMITH
ATTORNEY AT LAW

VERIFICATION

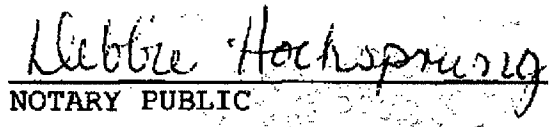
13 STATE OF NEVADA)
14 CARSON CITY s/s)

15 RICHARD HOGAN and TRACY WEST, being first duly sworn, depose
16 and say:

17 That we have read the foregoing Petition and know the con-
18 tents thereof; that the same is true of our own knowledge, except
19 as to those matters therein stated on information and belief and,
20 as to such matters, we believe them to be true.

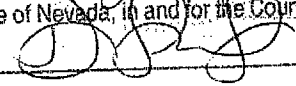

RICHARD HOGAN
TRACY WEST

21 SUBSCRIBED and SWORN to before me this 8th day
22 of September, 2008


NOTARY PUBLIC

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.

7 DATE May 9, 2009
BOBBIE R. WILLIAMS, Clerk of Court
of the State of Nevada, in and for the County of Douglas,
By  Deputy

WASHOE COUNTY RECORDER


OFFICE OF THE RECORDER
KALIE M. WORK, RECORDER

1001 E. NINTH STREET
RENO, NV 89512
PHONE (775) 328-3661
FAX (775) 325-8010

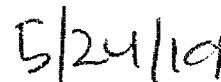
LEGIBILITY NOTICE

The Washoe County Recorder's Office has determined that the attached document may not be suitable for recording by the method used by the Recorder to preserve the Recorder's records. The customer was advised that copies reproduced from the recorded document would not be legible. However, the customer demanded that the document be recorded without delay as the parties rights may be adversely affected because of a delay in recording. Therefore, pursuant to NRS 247.120 (3), the County Recorder accepted the document conditionally, based on the undersigned's representation (1) that a suitable copy will be submitted at a later date (2) it is impossible or impracticable to submit a more suitable copy.

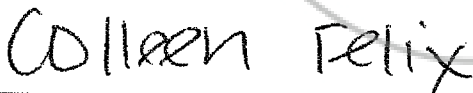
By my signing below, I acknowledge that I have been advised that once the document has been microfilmed it may not reproduce a legible copy.



Signature



Date



Printed Name