



KAREN ELLISON, RECORDER

APN# 1022-10-001-049

Recording Requested by/Mail to:

Name: Michael S. Rowe, Esq.
Address: 1638 Esmeralda
City/State/Zip: Minden NV 89423

Mail Tax Statements to:

Name: _____
Address: _____
City/State/Zip: _____

Order setting aside estate not exceeding \$100,000 -
Title of Document (required)

----- (Only use if applicable) -----

The undersigned hereby affirms that the document submitted for recording
DOES contain personal information as required by law: (check applicable)

- Affidavit of Death – NRS 440.380(1)(A) & NRS 40.525(5)
- Judgment – NRS 17.150(4)
- Military Discharge – NRS 419.020(2)

Signature

Printed Name

This document is being (re-)recorded to correct document # _____, and is correcting

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1 CASE NO. 2019-PB-00140 Douglas County District Court Clerk

2 DEPT. NO. I

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

D. GOEZZY

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

9 In the Matter of the Estate

10 of

11 ROBERT J. PENE,

12 Deceased.

ORDER SETTING ASIDE ESTATE NOT EXCEEDING \$100,000

NRS 146.070

13
14
15 **THIS MATTER** came on before the Court on 10 December 2019 on the Petition to Set Aside
16 Estate Not Exceeding \$100,000 ("Petition") filed by Marjorie L. Pene ("Petitioner"), the widow of Robert
17 J. Pene ("Decedent") and the beneficiary of his estate. Present in Court was Petitioner's counsel,
18 Michael S. Rowe, Esq.

19
20 Based upon the Petition to Set Aside Estate Not Exceeding \$100,000 brought before the Court
21 pursuant to NRS 146.070, and the matters heard in open court, the Court finds, concludes and orders as
22 follows:

- 23 1. The Court finds that the Decedent died on 22 June 2007 in Butte County, California.
24 The Court finds that the Decedent owned a beneficial interest in real property located in Douglas County,
25 located at 3945 Sandstone Drive, Lot 74 of Topaz Ranch Estates, Unit #2. A certified copy of the
26 Certificate of Death of the Decedent was attached to the Petition as Exhibit A.

27 ///

Mailing Address
P.O. Box 2080
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The Law Office of Michael S. Rowe
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1 2. The Court finds that the Decedent died intestate, and the Decedent's property interest
2 delineated within the Petition was held as Husband and Wife pursuant to the Grant Deed recorded in
3 Douglas County on 11 May 2001.

4 3. The Court finds that the Decedent's primary beneficiary is Marjorie L. Pene.

5 4. The Court finds and concludes that the estate of the Decedent should be set aside to the
6 Petitioner pursuant to NRS 146.070, as beneficiary of the Decedent's estate, and she is entitled to receive
7 the distribution of the Decedent's interest in the real property.
8

9 5. The Court finds that due and proper notice of the Petition has been sent to Medicaid
10 Estate Recovery and to the Decedent's family. The Court finds that no other persons are entitled to notice
11 of the Petition and the hearing.
12

13 6. The Petitioner has alleged, and the Court so finds, that all funeral expenses, expenses
14 of last illness and creditors have been paid. The Decedent did not receive any benefits from Medicaid
15 from the Department of Health and Human Services.

16 7. The Petitioner has alleged, and the Court so finds, that at least 30 days have elapsed since
17 the date of death of the Decedent.
18

19 8. The Petitioner has alleged, and the Court so finds, that there are no liens or
20 encumbrances against the Decedent's property at the date of his death, and that there are no debts of the
21 Decedent that remain unpaid.

22 9. The Petitioner has alleged, and the Court so finds, that the Petitioner is authorized to
23 receive the beneficial one-half interest of the property of the Decedent as set forth within the Petition as
24 the Decedent's Widow as her sole and separate property.
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26 ///
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Based upon the above and foregoing, it is hereby the Order of the Court as follows:

IT IS HEREBY ORDERED that the Decedent's beneficial interest in real property located in Douglas County, located at 3945 Sandstone Drive, Lot 74 of Topaz Ranch Estates, Unit #2, Nevada, Douglas County Assessor's Parcel No.: 1022-10-001-049 shall be, and hereby is, set aside to Marjorie L. Pene for distribution.


BE IT FURTHER ORDERED that the Court ratifies, confirms and approves of Petitioner's payment of her attorney's fees and Court costs relative to these proceedings in an amount not exceeding \$2,000.

BE IT FURTHER ORDERED that upon entry of this Order these proceedings shall be closed.

DATED this 10th day of December, 2019.


NATHAN TOD YOUNG
DISTRICT COURT JUDGE

Submitted by:


MICHAEL SMILEY ROWE
Nevada Bar Number 1374
1638 Esmeralda
Minden, Nevada 89423
(775) 782-8141
Attorney for the Petitioner

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 December 10, 2019

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

By  Deputy