

APN# 1022-32-110-001 & 004

DOUGLAS COUNTY, NV **2020-940958**
Rec: \$40.00
\$40.00 Pgs=6 **01/16/2020 10:06 AM**
WALLACE & MILLSAP LLC
KAREN ELLISON, RECORDER

Recording Requested by:

Name: F. McClure Wallace, Esq.
Address: 510 W Plumb Lane, Suite A
City/State/Zip: Reno, NV 89509

When Recorded Mail to:

Name: Ken Bauer
Address: PO Box 1726
City/State/Zip: Cedar City, UT 84721

Mail Tax Statement to:

Name: Ken Bauer
Address: PO Box 1726
City/State/Zip: Cedar City, UT 84721

(for Recorder's use only)

ORDER

(Title of Document)

Please complete Affirmation Statement below:

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons.
(Per NRS 239B.030)

-OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law:

(State specific law)

F. McClure Wallace
Signature

Title

F. McClure Wallace, Esq.
Printed Name

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink.

1
2
3
4
5 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

6
7 IN AND FOR THE COUNTY OF WASHOE

8
9
10 IN THE MATTER OF THE ESTATE

CASE NO. PR18-00051

11
12 OF CLYNE P. BAUER

DEPT. NO. 15

13
14 Deceased.

15
16 **ORDER**

17 Petitioners, STACEY THOMPSON and KENNETH BAUER, by and through counsel
18 of record, Roger S. Doyle, Esq. of the Doyle Law Office, PLLC, filed a *Petition for Court*
19 *Administration of Trust, or Alternatively Removal of Successor Trustee* on January 30, 2018 in the above
20 captioned matter. Respondent, CAROLE THOMPSON, by and through counsel of record,
21 Mike Pavlakis, Esq. of Allison MacKenzie, filed an *Objection to Petition* on February 20, 2018.
22 Hearing was held on February 27, 2018 with all beneficiaries of the CLYNE P. BAUER
23 LIVING TRUST present including, HILARY BURSON, in proper person. After notice from
24 the Petitioners and CAROLE THOMPSON of a settlement agreement, the Court held further
25 hearing on this matter on April 24, 2018. All beneficiaries were present or represented by
26 counsel.

27 Pursuant to NRS § 164.010, this Court has the authority upon petition from a trustee or
28 beneficiary to assume jurisdiction and administration of at trust in the event of dispute,
ambiguity or lack of qualified named successor trustee. The Court having reviewed the

1 pleadings, documents and papers on file and having canvassed the beneficiaries as to their
2 intentions and desires, finds that each beneficiary has voluntarily accepted and executed the
3 Settlement Agreement filed April 25, 2018 in this matter with the following changes or
4 additions:

- 5 (1) On page 10, paragraph 10 - the Court strikes the following sentence: "Stacey
6 Thompson shall be reimbursed at the rate of \$0.545 per mile for her one way trip
7 from her home in Reno, Nevada, in order to transport cremains to the Cemetery in
8 Cedar City, Utah, for 521 miles.";
- 9 (2) The Court adds the following term: "The VA burial flag, currently in the possession
10 of Stacey Thompson, shall be buried with the Decedent's cremains.";
- 11 (3) F. McClure Wallace, Esq. is named as the successor Trustee of The Clyne P. Bauer
12 Trust Agreement and its amendments, subject to his acceptance evidenced by
13 executed Certificate of Trust filed with the Court;
- 14 (4) The successor Trustee shall be paid after court approval at the hourly rate of \$250.00
15 per hour from Trust corpus for legal and Trustee services provided and earned, plus
16 reasonable costs including paralegal fees if necessary;
- 17 (5) The successor Trustee shall provide an initial accounting of the Trust to this Court
18 and copies to beneficiaries within 45 days of the date of this Order;
- 19 (6) The successor Trustee shall have all authority granted under The Clyne P. Bauer
20 Trust Agreement and Nevada law and shall manage and maintain the Trust in a
21 manner consistent with the Settlement Agreement dated April 24, 2018 and Nevada
22 law;
- 23 (7) The successor Trustee shall file a status report, or alternatively a report of
24 distribution and discharge, including accounting of his fees and costs, within 1 year
25 of the date of this Order, or earlier upon completion of duties of the successor
26 Trustee;
- 27 (8) This Court will maintain jurisdiction of the Trust to address disputes, if any, and
28 ensure timely and economical distribution of the Trust;

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

(9) The successor Trustee is authorized to employ and compensate a third party neutral tax advisor or other professional assistance that the successor Trustee deems reasonably necessary; and

(10) All beneficiaries shall be responsible for their own fees and costs in this action.

If no Certificate of Trust noting F. McClure Wallace's acceptance as the successor Trustee is filed with the Court within fifteen (15) days of the date of this Order, or the beneficiaries file notice with the Court that Mr. Wallace refuses the appointment, then this Court will nominate a new successor Trustee by order without further hearing or briefing, unless ordered.

IT IS SO ORDERED.

DATED this 14 day of May, 2018.



DISTRICT JUDGE

CERTIFICATE OF SERVICE

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

Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court, and that on the date shown below, I caused service to be completed of a true and correct copy of the foregoing Order by:

- personally delivering;
- delivery via Reno/Carson Messenger Service;
- sending via Federal Express (or other overnight delivery service);
- depositing for mailing in the U.S. mail, with sufficient postage affixed thereto; or,
- delivery via electronic means (fax, eflex, NEF, etc.) to:

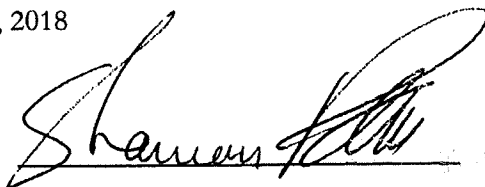
Mike Pavlakis, Esq.
Allison – MacKenzie
402 N. Division St.
Carson City, Nevada 89703
Attorney for Carole Thompson

Roger S. Doyle, Esq.
Doyle Law Office, PLLC
8755 Technology Way, Suite I
Reno, Nevada 89521
Attorney for Petitioners

Hilary B. Burson
230 Shetland Circle
Reno, Nevada 89508

F. McClure Wallace, Esq.
Wallace & Millsap
mcclure@wallacemillsap.com

Dated this 14 day of May, 2018



CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

DATE: JAN 16 2020

JACQUELINE BRYANT, Clerk of the Second Judicial District Court, in and for the County of Washoe, State of Nevada.

By T Shields Deputy