

APN# 1318-15-882-001 PTN

**Recording Requested by/Mail to:**

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**Mail Tax Statements to:**

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KAREN ELLISON, RECORDER

Order Setting Aside Estate Without Administration

**Title of Document** (required)

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

The undersigned hereby affirms that the document submitted for recording  
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Affidavit of Death – NRS 440.380(1)(A) & NRS 40.525(5)

Judgment – NRS 17.150(4)

Military Discharge – NRS 419.020(2)

Signature

Danielle L. Christenson

Printed Name

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\_\_\_\_\_  
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9 This document DOES NOT contain personal  
10 information, pursuant to NRS 603A.040.

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

12 IN AND FOR THE COUNTY OF DOUGLAS

13 In the Matter of the Estate of:

CASE NO.: 2020-PB-00140

14 JOAN B. CASTILLO

15 Date of Death: June 26, 2009

DEPT. NO.: II

16 Deceased. /

17 **ORDER SETTING ASIDE ESTATE WITHOUT ADMINISTRATION**

18 THIS MATTER having come on regularly for hearing on Monday, December 28, 2020,  
19 Petitioner RICHARD CASTILLO, a resident of New Mexico, was not present. Counsel of record  
20 for Petitioner, DANIELLE L. CHRISTENSON, ESQ. of HERITAGE LAW, A Division of KALICKI  
21 COLLIER, LLP, appeared in person. No persons appeared at the hearing for the purpose of  
22 objecting to or opposing the *Petition to Set-Aside Estate Without Administration* (hereinafter:  
23 "*Petition*"), or otherwise caused to be filed or submitted herein, an objection or opposition to the  
24 *Petition*.

25 The Court having reviewed all papers filed in this matter including the verified *Petition to  
Set-Aside Estate Without Administration*, and having considered the matters presented at the  
hearing held herein, and good cause appearing;

The Court hereby finds that:

1           1.       Decedent, JOAN B. CASTILLO (hereinafter: "Decedent") died on June 26, 2009,  
2 in Albuquerque, New Mexico, and was on the date of her death, a resident of Albuquerque, County  
3 of Bernalillo, New Mexico.

4           2.       Decedent JOAN B. CASTILLO was at the date of her death a married woman  
5 with issue, and left an ancillary Estate in Nevada consisting of a community property time share  
6 or community property fractional interest in Fairfield Tahoe at South Shore, nka Wyndham  
7 Fairfield Tahoe at South Shore, Zephyr Cove, Douglas County, Nevada.

8           3.       Decedent JOAN B. CASTILLO died without leaving a Last Will and Testament,  
9 thus, she died intestate.

10          4.       Petitioner RICHARD CASTILLO is the husband and surviving spouse of the  
11 Decedent and a resident of Albuquerque, Bernalillo County, New Mexico.

12          5.       Decedent was survived by Petitioner RICHARD CASTILLO, her husband, EMILY  
13 ROSE CASTILLO and JENNA MARIE CASTILLO, her adult daughters.

14          6.       The Decedent's ancillary Estate located in Zephyr Cove, Douglas County, Nevada,  
15 consists only of a 154,000/183,032,500 undivided fee simple interest as tenants in common in  
16 real property situated in the County of Douglas, State of Nevada (Fairfield Tahoe at South Shore,  
17 nka Wyndham Fairfield Tahoe at South Shore, Zephyr Cove, Douglas County, Nevada), APN  
18 Parcel Nos. 1318-15-822-001 PTN and 1318-15-823-001 PTN, which is more particularly  
19 described as follows:

20           A 154,000/183,032,500 undivided fee simple interest as tenants in common in  
21 Units 12101, 12102, 12103, 12201, 12202, 12302, 14102, 14104, 14103, 14202,  
22 14203, 14204 and 14302 in South Shore Condominium ("Property"), located at  
23 180 Elks Point Road in Zephyr Cove, Nevada 89449, according to the Final Map  
24 #01-026 and Condominium Plat of South Shore filed of record in Book 1202,  
25 Page 2181 as Document Number 559872 in Douglas County, Nevada, and  
subject to all provisions thereof and those contained in that certain Declaration of  
Condominium – South Shore ("Timeshare Declaration") dated October 21, 2002  
and recorded December 5, 2002 in Book 1202, Page 2182 as Instrument  
Number 559873, and also subject to all the provisions contained in that certain  
Declaration of Restrictions for Fairfield Tahoe at South Shore and recorded  
October 28, 2004 in Book 1004, Page 13107 as Instrument Number 628022,

1 Official Records of Douglas County, Nevada, which subjected the Property to a  
2 timeshare plan called Fairfield Tahoe at South Shore ("Timeshare Plan"). Less  
and except all mineral and mineral rights which minerals and mineral rights are  
hereby reserved unto the Grantor, it successors and assigns.

3 **SUBJECT TO:**

- 4 1. Any and all rights of way, reservations, restrictions, easements, mineral  
exceptions and reservations, and conditions of record;  
5 2. The covenants, conditions, restrictions and liens set forth in the  
Timeshare Declaration and the Declaration of Restrictions for Fairfield Tahoe at  
6 South Shore, and any supplements and amendments thereto;  
7 3. Real estate taxes that are currently due and payable and are a lien  
against the Property;  
8 4. All matters set forth on the plat of record depicting South Shore  
Condominiums, and any supplements and amendments thereto.

9 7. The Decedent and the Petitioner were married on September 11, 2006, when  
10 ownership of the time share interest or fractional share interest was transferred to Decedent as  
11 the "sole owner," and, further, that payment for the time share interest or fractional share interest  
12 was made utilizing community property funds/assets.

13 8. The value of the Decedent's ancillary Estate is less than ONE HUNDRED  
14 THOUSAND AND NO/100 DOLLARS (\$100,000.00) and falls within the jurisdiction of NRS  
15 146.070.

16 9. Pursuant to NRS 146.070(2)(b), there are no funeral expenses, expenses of last  
17 illness, or monies owed to the (Nevada) Department of Health and Human Services as a result of  
18 payment of benefits for (Nevada) Medicaid; and

19 10. Pursuant to NRS 146.070(2)(c), there are no liens or mortgages of record, and  
20 Petitioner is not aware of any encumbrances or debts against the ancillary Estate property and  
21 there are no known secured or unsecured creditors of the ancillary Estate;

22 **ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:**

23 A. The value of the Decedent's ancillary Estate is less than ONE HUNDRED  
24 THOUSAND AND NO/100 DOLLARS (\$100,000.00) and falls within the purview of NRS 146.070;

1 B. The Decedent's ancillary Estate be assigned and set aside in its entirety, without  
2 administration by order of the Court, to the Petitioner, RICHARD CASTILLO, Decedent's husband  
3 and surviving spouse, pursuant to NRS 123.250;

4 C. Any other asset(s) of said ancillary Estate now known or hereinafter discovered in  
5 the State of Nevada that, when combined with the above asset(s), do not exceed the statutory  
6 limit of \$100,000.00, is/are set aside as specified in Paragraph B; and

7 D. That RICHARD CASTILLO is authorized to sign all documents with the holder of  
8 any asset(s) of the ancillary Estate that is/are necessary to effectuate this Order, including, but  
9 not limited to, the authority to sign any and all grant deed(s) or any other legal, regular, or  
10 customary documents necessary to transfer the asset(s) and effectuate this Order.


11 **IT IS SO ORDERED.**

12 **DATED:** January 11<sup>th</sup>, 2020/1

13  
14   
15 **HON. THOMAS W. GREGORY**  
**DISTRICT COURT JUDGE**

16 SUBMITTED by:

17 **HERITAGE LAW**

18   
19 **By: DANIELLE L. CHRISTENSON, ESQ.**  
20 **SBN 4295**  
*Attorney for Petitioner RICHARD CASTILLO*

COPY

**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 January 26, 2021

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

By [Signature] Deputy