

APN# 1221-05-001-047

Recording Requested by/Mail to:

Name: FATCO

Address: 1663 Hwy 395, Ste.101

City/State/Zip: Minden NV 89423

Mail Tax Statements to:

Name: Cary Jackson

Address: 616 Dark Horse Ct

City/State/Zip: Gardnerville NV 89410

Order Terminating Trust

Title of Document (required)

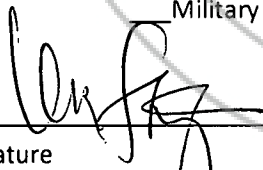
----- (Only use if applicable) -----

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

Kim Figueroa

Printed Name

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MAR 09 2021

21 MAR -9 P1:53

Douglas County
District Court Clerk

BOBBIE R. WILLIAMS
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BY **L. SHACHER** DEPUTY

1 Danielle L. Christenson, Esq., SBN 4295
2 **HERITAGE LAW, A Division of**
3 **KALICKI COLLIER, LLP**
4 1625 Highway 88, Suite 304
5 Minden, Nevada 89423
6 Telephone | 775.782.0040
7 Email | dlc@kalickicollier.com
8 Attorney for Petitioner

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

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

12 IN AND FOR COUNTY OF DOUGLAS

13 In the Matter of the:

CASE NO.: 2021-PB-00019

14 WINFIELD J. VALENTINE AND
15 BARBARA A. VALENTINE
16 REVOCABLE TRUST, dated
17 June 18, 2005, and any amendments
18 Thereto.

DEPT. NO.: I
[Companion Case to 2020-PB-00135]

19 **ORDER TERMINATING TRUST; CONFIRMING ASSET(S) OF TRUST TO PERSONAL**
20 **REPRESENTATIVE OF GRANTOR'S ESTATE**
21 **[N.R.S. 153.031(1)(n)]**

22 Petitioner and Personal Representative, CARY JACKSON's, verified *Petition for Order*
23 *Terminating Trust and Confirming Asset(s) of Trust to Personal Representative of Grantor's*
24 *Estate [N.R.S. 153.031(1)(n)]* came on regularly for hearing this day. No person appeared to
25 contest the *Petition*.

Upon proof duly made to the satisfaction of the Court, the Court now finds as follows:

- 21 1. All notices for hearing have been given in the manner and for a period prescribed
22 by law.
- 23 2. The Court has jurisdiction over this matter under Nevada Revised Statues
24 (N.R.S.) sections 153.031(1)(n) and 143.060, because the Trust asset(s)/real property at issue,
25 1328 Homestead Road, Gardnerville, Douglas County, Nevada (Decedent BARBARA A.

1 VALENTINE' personal residence), is a real property asset located in Douglas County, State of
2 Nevada, and is more particularly described as:

3 Lot 13, in Block B, as shown on the official map of Pinenut Hills Ranch Unit #1,
4 filed for record in the Office of the County Recorder on December 6, 1984, Book
1284 Page 738 as Document No. 110990, Official Records of Douglas County,
5 Nevada.

6 APN: 1221-05-001-047.

7 3. On September 25, 2020, BARBARA A. VALENTINE died in her home in
8 Gardnerville, Douglas County, Nevada.

9 Decedent BARBARA A. VALENTINE was pre-deceased by her husband,
10 WINFIELD J. VALENTINE, who died on 2014.

11 4.1 A probate matter concerning Decedent BARBARA A. VALENTINE' Estate was
12 commenced on November 23, 2020, in the Ninth Judicial District Court of the State of Nevada,
13 in and for Douglas County, as Case No. 2020-PB-00135, Department II.

14 4.2 Therein, Petitioner CARY JACKSON is the appointed and acting Personal
15 Representative of Decedent BARBARA A. VALENTINE' Estate, having been appointed by
16 Court Order entered or filed on January 6, 2021.

17 4.3 Letters Testamentary with Full Authority to Administer the Estate pursuant to the
18 Independent Administration of Estates Act were issued in Petitioner CARY JACKSON's name
19 on January 25, 2021.

20 5. Petitioner CARY JACKSON has, in his capacity as Personal Representative of
21 Decedent BARBARA A. VALENTINE' Estate, discovered that title to Decedent BARBARA A.
22 VALENTINE' personal residence in Gardnerville, Douglas County, Nevada, is held in the name
23 of WINFIELD J. VALENTINE AND BARBARA A. VALENTINE, Trustees of the *Winfield J.*
24 *Valentine and Barbara A. Valentine Revocable Living Trust, dated June 18, 2005.*

1 6.1 After conducting a diligent search for any trust documents in Decedent
2 BARBARA A. VALENTINE' possession at the time of her death, or otherwise of record with any
3 County or State agency at the time of Decedent BARBARA A. VALENTINE' death, Petitioner
4 has been unable to locate any trust documents evidencing the past, present, or continuing
5 existence of the *Winfield J. Valentine and Barbara A. Valentine Revocable Living Trust, dated*
6 *June 18, 2005.*

7 6.2 Petitioner CARY JACKSON has not located, found, or discovered any asset or
8 account in the name of the *Winfield J. Valentine and Barbara A. Valentine Revocable Living*
9 *Trust, dated June 18, 2005,* since her appointment by the Court as the Personal Representative
10 of the Estate of BARBARA A. VALENTINE.

11 6.3 Furthermore, Decedent BARBARA A. VALENTINE's *Will of Barbara A. Valentine*
12 (hereinafter: "*Last Will*") dated June 18, 2005, which *Will* has been admitted to probate, does
13 not contain a "pour-over" provision to the *Winfield J. Valentine and Barbara A. Valentine*
14 *Revocable Living Trust, dated June 18, 2005.*

15 6.4 Lastly, the persons closest to Decedent BARBARA A. VALENTINE in the years
16 prior to her death, named as Personal Representative(s), Specific Distribution Devisees and as
17 the Residual Distribution Devisee(s) in Decedent's *Last Will*, have no knowledge of the
18 existence (past or present) of the *Winfield J. Valentine and Barbara A. Valentine Revocable*
19 *Living Trust, dated June 18, 2005.*

20 7. Legal Authority

21 a) N.R.S. 143.060

22 NRS 143.060 authorizes a Personal Representative to maintain actions "... for the
23 recovery of any property, real or personal, or for the possession thereof, or to quiet title thereto,
24 or to determine any adverse claims thereon..." in cases in which the actions might have been
25 brought/maintained by or against the decedents.

1 b) N.R.S. 153.031

2 NRS 153.031 authorizes a trustee or beneficiary of a trust to petition the court regarding
3 any aspect of the affairs of the trust, including an action to terminate the trust. NRS
4 153.031(1)(n).

5 A petition under this section must state the grounds of the petition and the name and
6 address of each interested person, and the relief sought by the petition. NRS 153.031(2).

7 **IT IS THEREFORE REASONABLE TO CONCLUDE THAT:**

8 8. Under these circumstances, if Decedent BARBARA A. VALENTINE and her pre-
9 deceased husband, WINFIELD J. VALENTINE, did indeed, on June 18, 2005, create a legal
10 and valid revocable living trust under Nevada law, known as the *G Winfield J. Valentine and*
11 *Barbara A. Valentine Revocable Living Trust, dated June 18, 2005*, Decedent BARBARA A.
12 VALENTINE later terminated the trust instrument prior to her execution of her *Last Will* on June
13 18, 2005, or else Decedent's *Last Will* would have included a "pour-over" provision to the
14 *Winfield J. Valentine and Barbara A. Valentine Revocable Living Trust, dated June 18, 2005*,
15 and, at the time of Decedent's death, other assets comprising Decedent's Estate would have
16 been found to be titled in the name of the *Winfield J. Valentine and Barbara A. Valentine*
17 *Revocable Living Trust, dated June 18, 2005*. As it stands, the only asset that is (or remains)
18 titled in the name of the *Winfield J. Valentine and Barbara A. Valentine Revocable Living Trust,*
19 *dated June 18, 2005*, is Decedent's primary residence.

20 **ACCORDINGLY**, the Court find and orders as follows:

21 A. That interested parties have received sufficient notice under NRS 153.031 and
22 155.010;

23 B. That the *Winfield J. Valentine and Barbara A. Valentine Revocable Living Trust,*
24 *dated June 18, 2005*, is terminated pursuant to NRS 153.031(1)(n);

1 C. That the Trust asset(s)/real property at issue be transferred, conveyed,
2 distributed, delivered, and confirmed to Petitioner CARY JACKSON, the Personal
3 Representative of Decedent's Estate. The Trust asset(s)/real property at issue is known and
4 located at 1328 Homestead Road, Gardnerville, Douglas County, Nevada (Decedent BARBARA
5 A. VALENTINE's personal residence), and is more particularly described as:

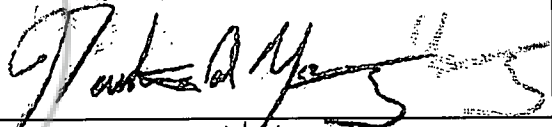
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9 Nevada.

10 APN: 1221-05-001-047.

11 D. That Petitioner CARY JACKSON, Personal Representative of Decedent's Estate,
12 is authorized to execute any and all documents necessary to transfer, convey, distribute,
13 deliver, and confirm the real property located at and known as 1328 Homestead Road,
14 Gardnerville, Douglas County, Nevada (Decedent BARBARA A. VALENTINE's personal
15 residence), to Decedent's Estate for liquidation or distribution, whichever the case might be.

16 **IT IS SO ORDERED.**

17 **DATED:** March 9, 2021.

18 
19 **THOMAS W. GREGORY** Nathan T. Young
20 **DISTRICT COURT JUDGE**

21 Submitted by:

22 **HERITAGE LAW**

23 By: /s/ Danielle L. Christenson, Esq.
24 **DANIELLE L. CHRISTENSON, ESQ.**
25 **SBN 4295**
Attorney for Petitioner CARY JACKSON

ORDER TERMINATING TRUST/ CONFIRMING ASSET(S) OF TRUST TO
PERSONAL REPRESENTATIVE OF GRANTOR'S ESTATE [N.R.S.
153.031(10)(N)]

PAGE 5 OF 5

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: March 9, 2021
BOBBIE R. WILLIAMS, Clerk of Court
of the State of Nevada, in and for the County of Douglas,
By: [Signature] Deputy

HERITAGE LAW, A DIVISION OF KALICKI COLLIER, LLP
1625 HIGHWAY 88, SUITE 304, MINDEN, NV 89423
TELEPHONE | 775.782.0040

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24 **DANIELLE L. CHRISTENSON, ESQ.**
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Attorney for Petitioner CARY JACKSON


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PAGE 5 OF 5

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of the State of Nevada, in and for the County of Douglas.

By: 
BOBBIE R. WILLIAMS, Deputy

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