

APN# 1320-32-111-058



KAREN ELLISON, RECORDER

Recording Requested by/Mail to:

Name: Heritage Law, a Div. of Kalicki Collier, LLP
Address: 1625 Highway 88, Ste 304
City/State/Zip: Minden, NV 89423

Mail Tax Statements to:

Name: Leanna Stedman + Beyla Serpa
Address: 5520 Boot Hill Road
City/State/Zip: Placerville, CA 95667

Certified Copy of Order Waiving Accounting;
Approving Fees/Costs; and for Decree of Final Distribution
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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BY A. PONCE DEPUTY

1 Danielle L. Christenson, Esq., SBN 4295

2 HERITAGE LAW, A Division of

3 KALICKI COLLIER, LLP

1625 Highway 88, Suite 304

Minden, Nevada 89423

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Attorney for Petitioners and Personal Co-Representatives/Administrators

5 This document DOES NOT contain personal
6 information, pursuant to NRS 603A.040.

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

8 IN AND FOR DOUGLAS COUNTY

9 In the Matter of the Estate of:

CASE NO.: 2020-PB-00103

10 MONICA SERPA BINGHAM,
Date of Death: July 10, 2020

DEPT. NO.: I

11 _____
Deceased. /

12
13 **ORDER WAIVING ACCOUNTING; APPROVING FEES/COSTS; AND FOR**
14 **DECREE OF FINAL DISTRIBUTION**

15 The Verified *Petition for Waiver of Accounting; Approval of Fees/Costs; and for Decree of*
16 *Final Distribution* (hereinafter: "*Petition for Final Distribution*") filed September 27, 2021, by
17 Personal Co-Representatives/Administrators LEANNA S. STEDMAN and LORI STORY, by and
18 through their attorney of record, DANIELLE L. CHRISTENSON, ESQ., of HERITAGE LAW,
19 came on regularly for hearing on **Tuesday, October 19, 2021, at 1:30 P.M.** No person appeared
20 to contest the *Petition for Final Distribution* and no person filed an objection.

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

22 1. All notices of the hearing have been duly given as required by law.

23 2. MONICA SERPA BINGHAM, Deceased (hereinafter: "Decedent"), died on July 10,

24 2020, in Minden, Douglas County, Nevada. Decedent was at the date of his death a resident of

25 Minden, Douglas County, State of Nevada, and left an estate in Nevada consisting of personal

and real property subject to probate administration.

ORDER WAIVING ACCOUNTING; APPROVING FEES/COSTS; AND
FOR DECREE OF FINAL DISTRIBUTION

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

1 3.1 Decedent died leaving a *Will of MONICA SERPA BINGHAM* dated July 6, 2020
2 (hereinafter: "*Will*"). A review of the Decedent's *Will* revealed legal defects affecting the validity
3 of the *Will*; specifically, Decedent's *Will* did not dispose of Decedent's property; rather, Decedent's
4 *Will* references a "signed codicil to Last Will and Testament which is incorporated in whole as
5 though it were set forth in full here." After diligent investigation and research, Petitions and
6 Personal Co-Representatives/Administrators were not able to locate an original or copy of a
7 "signed codicil" executed by Decedent.

8 On the basis of the foregoing, Decedent died intestate despite having executed a *Last Will*
9 *and Testament* on July 6, 2020.

10 3.2 On December 8, 2020, an *Order for Issuance of Letters of Administration with Full*
11 *Authority to Administer Estate pursuant to the Nevada Independent Administration of Estates Act,*
12 *and for Full Administration of the Estate*, appointing LEANNA S. STEDMAN and LORI STORY as
13 Personal Co-Representatives/Administrators.

14 3.3 On December 18, 2020, *Letters of Administration with Full Authority to Administer*
15 *Estate Pursuant to the Independent Administration of Estates Act* were issued to LEANNA S.
16 STEDMAN and LORI STORY. LEANNA S. STEDMAN and LORI STORY were thereupon duly
17 qualified as Personal Co-Representatives/Administrators and have acted in that capacity since
18 that date.

19 4.1 *Notice to Creditors* was sent to ascertainable creditors on February 4, 2021, and
20 the Personal Co-Representatives/Administrators also caused to be published a *Notice to*
21 *Creditors* concerning unascertainable creditors as required by law, and the publication of that
22 *Notice* occurred on March January 2, 2021, January 14, 2021, and January 21, 2021.

23 4.2 *Proof and Statement of Publication – Notice to Creditors* was filed with the Court
24 on January 28, 2021.

1 4.3 No creditors' claims have been received by the Estate or otherwise filed herein,
2 and the time for presentment of claims by ascertainable and unascertainable creditors has
3 expired.

4 5. *An Amended Inventory, Appraisement, and Record of Value* was filed with Court
5 on April 19, 2021. The gross value of the entire Estate was estimated at FOUR HUNDRED
6 NINETY-ONE THOUSAND SIX HUNDRED SEVENTY-FOUR AND NO/100 DOLLARS
7 (\$491,674.00).

8 6. **Income and Expenses**

9 6.1 **From Sale of Personalty, Small Refunds, and Personal Income Tax Refund**

10 Income was received by the Decedent's Estate as a result of the sale of tangible personal
11 property of the Estate, small refunds, and the Decedent's 2020 Personal Income Tax Refund, as
12 follows:

13 6.1.1 <u>Description</u>	<u>Sale Price/Proceeds to Estate</u>
14 2020 Tax Return	\$1,102.87
15 Carson Valley Medical Center (Overpayment)	\$ 200.00
16 Verizon - Credit Refund	\$ 16.42
17 Carson Valley Medical Group - Refund	\$ 145.00
18 Aflac	\$1,350.00
19 Farmers Car Insurance - Refund	\$ 35.95
20 TOTAL INCOME TO THE ESTATE:	\$2,850.24

21 6.2 **Expenses**

22 A number of expenses of the Decedent's Estate were advanced by Personal Co-
23 Representative/Administrator LEANNA S. STEDMAN, who is seeking reimbursement from the
24 Estate in the following amount(s):

25 6.2.1 <u>Out-of-Pocket Expenses of Co-Personal</u>	\$6,522.40
26 <u>Representative LEANNA S. STEDMAN</u>	
27 1. Cash to open Estate Bank Account	\$2,000.00
28 2. Douglas County Property Tax	\$1,506.96

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3. USPS	\$ 1.05
4. Heritage Law – Deposit against Costs	\$1,000.00
5. Minden Gardnerville Sanitation District	\$ 42.20
6. Farmers Insurance	\$ 519.40
7. NV Energy	\$ 9.55
8. Carson Valley Medical Group	\$ 20.00
9. CTROA – Radiation	\$1,410.18
10. Frontier	\$ 13.06

6.2.2 Out-of-Pocket Expenses of Co-Personal Representative LORI STORY **\$0.00**

[None]

6.3 Summary of Income and Expenses:

Income to the Estate: \$2,850.24

Expenses to the Estate: -\$6,522.40

Opening Balance of Estate Bank Account: \$2,000.00
Opening Balance on February 10, 2020

Residual Balance of Estate: \$3,085.43
Ending Balance on May 5, 2021

7. The Decedent's 2020 Personal Income Tax Return has been prepared and filed, and a refund of \$1,102.87 has been received by the Estate.

8. Statutory Commission for Serving as Personal Co-Representatives/Administrators

Petitioners LEANNA STEDMAN and LORI STORY are entitled to a statutory commission for serving as Personal Co-Representatives/Administrators in accordance with NRS 150.020, upon the whole amount of the Estate accounted for by the Personal Co-Representatives/Administrators. **However, Petitioners have determined to WAIVE payment of any compensation for their services.**

9. Attorney's Fees and Costs

HERITAGE LAW (hereinafter: "Law Office"), has served as counsel for the Personal Co-Representatives/Administrators and has consulted with the Personal Co-

1 Representatives/Administrators on various matters. Personal Co-Representative/Administrator
2 LEANNA S. STEDMAN and the Law Office entered into an *Agreement for Legal Services* on
3 August 20, 2020, whereby the Law Office is providing legal services on a percentage basis
4 pursuant to NRS 150.060.

5 NRS 150.060 states in relevant part:

6 ...

7 4. If the attorney is requesting compensation based on the value of the estate
8 accounted for by the personal representative, the allowable compensation of the attorney
9 for ordinary services must be determined as follows:

- 10 (a) For the first \$100,000, at the rate of 4 percent;
- 11 (b) For the next \$100,000, at the rate of 3 percent;
- 12 (c) For the next \$800,000, at the rate of 2 percent...

13 6. For the purpose of determining the compensation of an attorney pursuant to
14 subsection 4, the value of the estate accounted for by the personal representative:

- 15 (a) Is the total amount of the appraisal of property in the inventory, plus:
 - 16 (1) The gains over the appraisal value on sales; and
 - 17 (2) The receipts, less losses from the appraisal value on sales; and
- 18 (b) Does not include encumbrances or other obligations on the property of the estate.

19 ...

20 The gross value of the Estate is FOUR HUNDRED NINETY-ONE THOUSAND SIX
21 HUNDRED SEVENTY-FOUR AND NO/100 DOLLARS (\$491,674.00). Statutory compensation
22 calculates as follows:

23 4 percent of the first \$100,000	\$ 4,000.00
24 3 percent of the next \$100,000	\$ 3,000.00
25 2 percent of the next \$291,674.00	<u>\$ 5,833.48</u>
Total	\$12,833.48

26 Petitioners and Personal Co-Representatives/Administrators requests that the Court
27 approve and authorize the payment of the sum of TWELVE THOUSAND EIGHT HUNDRED
28 THIRTY-THREE AND 48/100 DOLLARS (\$12,833.48) to the Law Office for the payment of
29 attorney's fees, and that the Court approve costs incurred and anticipated to be incurred on behalf
30 of the Estate. Those costs incurred to date total ONE THOUSAND FIVE HUNDRED TWO AND
31 NO/100 DOLLARS (\$1,502.00). The Law Office anticipates that it will expend an additional TWO

1 HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$275.00) in costs in the completion of and
2 winding-up of the Estate.

3 The Personal Co-Representative/Administrator LEANNA S. STEDMAN originally
4 deposited ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) with the Law Office for
5 anticipated costs, which has been applied as costs have accrued, such that the balance of costs
6 due (owing and anticipated) is SEVEN HUNDRED SEVENTY-SEVEN AND NO/100 DOLLARS
7 (\$777.00).

8 Petitioners and Personal Co-Representatives/Administrators requests that the Court
9 approve and authorize the payment of the total sum of ONE THOUSAND SEVEN HUNDRED
10 SEVENTY-SEVEN AND NO/100 DOLLARS (\$1,777.00) on behalf of the Estate to the Law Office
11 for the payment of costs incurred, owing, and anticipated on behalf of the Estate.

12 **In all, total attorney's fees and costs (incurred, owing, and anticipated) amount to**
13 **FOURTEEN THOUSAND SIX HUNDRED TEN AND 48/100 DOLLARS (\$14,610.48).**

14 10. The Decedent was unmarried without issue at the time of her death, and was not
15 survived by her parents or a parent. Rather, Decedent was survived by her sisters, LEANNA S.
16 STEDMAN and BEYLA SERPA. Therefore, pursuant to NRS 134.060, the entire estate is to be
17 distributed in equal shares to LEANNA S. STEDMAN and BEYLA SERPA.

18 11. Petitioners and Personal Co-Representatives/Administrators requests that the
19 Court waive the requirement of any accounting.

20 12. Petitioners and Co-Personal Representatives hereby request that, after payment
21 of the attorney's fees and costs (incurred and anticipated) to Law Office, that the balance of the
22 Estate be distributed in equal shares to Decedent's siblings, LEANNA S. STEDMAN and BEYLA
23 SERPA, pursuant to NRS 134.060.

24 **THEREOFRE**, the facts of the *Petition for Final Distribution* having been found to be true,
25 and good cause appearing, the Court now order the following:

1 A. The requirement of any accounting by the Personal Co-
2 Representatives/Administrators is waived;

3 B. That the administration of the Estate shall be closed without any further
4 accounting;

5 C. That all of the acts and transactions of Personal Co-
6 Representatives/Administrators LEANNA S. STEDMAN and LORI STORY, as disclosed in this
7 *Petition for Final Distribution*, are confirmed and approved;

8 D. That Personal Co-Representative/Administrator LEANNA S. STEDMAN is
9 authorized and directed to remit payment to herself, in her individual capacity, in the amount of
10 SIX THOUSAND FIVE HUNDRED TWENTY-TWO AND 40/100 DOLLARS (\$6,522.40) as and for
11 reimbursement of out-of-pocket expenses incurred on behalf of the Estate;

12 E. That Personal Co-Representative/Administrator LEANNA S. STEDMAN be
13 authorized and directed to pay the sum of FOURTEEN THOUSAND ONE HUNDRED TWENTY-
14 TWO AND 98/100 DOLLARS (\$14,610.48) to **HERITAGE LAW**, as and for reasonable
15 attorney's fees and costs (incurred and anticipated) incurred on behalf of the Estate; and

16 F. That Personal Co-Representative/Administrator LEANNA S. STEDMAN is
17 authorized and directed to distribute the balance of the Estate to Decedent's surviving siblings,
18 LEANNA S. STEDMAN and BEYLA SERPA, share and share alike, in accordance with NRS
19 134.060.

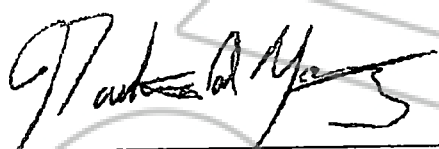
20 G. That Personal Co-Representatives/Administrators are authorized and allowed to
21 distribute any after-discovered assets to LEANNA S. STEDMAN and BEYLA SERPA, share and
22 share alike, in accordance with the provisions of NRS 134.060 and
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H. Upon the filing of appropriate Receipts/Vouchers, no further accounting is required and the Personal Co-Representatives/Administrators will be honorably discharged and this matter closed without further Court hearing.

IT IS SO ORDERED.

DATED: October 19, 2021.



**HON. NATHAN TOD YOUNG
DISTRICT JUDGE**

Submitted by:

HERITAGE LAW

By: 

DANIELLE L. CHRISTENSON, ESQ.
SBN 4295
Attorney for Personal Co-Representatives/Administrators

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 10/19/2021

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

By  Deputy