

APN# 1220-21-110-021



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KAREN ELLISON, RECORDER

Recording Requested by/Mail to:

Name: Kelli Harris

Address: 758 Kyndal Ct

City/State/Zip: Gardnerville nv 89460

Mail Tax Statements to:

Name: _____

Address: _____

City/State/Zip: _____

court order

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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SEP 26 2022

Douglas County
District Court Clerk

FILED

2022 SEP 26 PM 1:57

BONNIE R. WILLIAMS
CLERK

BY *[Signature]* DEPUTY

1 Case No.: 2022-PB-00052

2 Dept.: II

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

9 In the Matter of the Estate of:

10 **CHERILYNE LEI RETHERFORD,**
11 Date of Death: January 10, 2022,

**ORDER APPROVING FINAL
SETTLEMENT OF ACCOUNT,
APPROVING ATTORNEY'S FEES AND
COSTS, AND DECREE OF FINAL
DISTRIBUTION**

12 Decedent.
13 _____

14 UPON REVIEW of the verified Petition For a Final Settlement of Account, For Approval of
15 Fees and Costs, and For Decree of Final Distribution submitted by Personal Representative, KELLI
16 HARRIS, by and through her counsel of record, Natalia K. Vander Laan, Esq., of Vander Laan Law
17 Firm LLC, the same having come before the above-entitled Court for a hearing on the 26th day of
18 September, 2022, and it appearing to the satisfaction of the Court that proper Notice of Hearing of
19 this matter has been duly given in the manner required by law and no person appeared to contest the
20 Petition and no person filed an objection;

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

- 23 1. CHERILYNE LEI RETHERFORD (hereinafter "Decedent") died on January 10, 2022, in
24 Gardnerville, county of Douglas, state of Nevada. Decedent was, at the date of her death, a
25 resident of the county of Douglas, state of Nevada. Therefore, this Court is the proper court
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in this matter. Decedent's death certificate is on file with the Court.

2. Decedent died leaving a Last Will and Testament that was lodged with this Court on March 29, 2022. A copy of the Last Will and Testament is on file with the Court. Said Will was executed in compliance with NRS 133.40 and the Affidavits of Witnesses to said Will are on file with the court. Therefore, said Will was admitted to probate.

3. On May 9, 2022, Order Appointing Personal Representative was entered appointing KELLI HARRIS as Personal Representative and authorizing a general administration of the Decedent's estate, and Letters Testamentary were issued to KELLI HARRIS, who thereupon duly qualified as Personal Representative and who has acted in that capacity since that date.

4. All notices, including notices of hearings and notice to creditors, have been duly given as required by law and the proof is on file with the Court.

5. The names, ages, and residences of the heirs and devisees of Decedent, so far as known to Petitioner and Personal Representative, are:

The Decedent was unmarried.

The Decedent's children are:

KELLI HARRIS, adult, 758 Kyndal Court, Gardnerville, NV 89460, Petitioner;

KEVIN RETHERFORD, adult, 711 Bowles Lane, Gardnerville, NV 89460;

The Decedent had no deceased children with living descendants.

6. No creditors' claims were filed.

No late claims were filed.

Medicaid was given proper notice and has not made a claim.

7. Petitioner and Personal Representative, KELLI HARRIS, does not seek reimbursement from the Estate for any expenses.

1 8. Inventory and Appraisal or Record of Value of All the Assets of the Decedent was filed
2 on August 26, 2022, and is on file with the Court.

3 The gross (and net) value of the Estate was estimated at Three Hundred Ninety-Four
4 Thousand Eight Hundred Ninety-Nine and 60/100 Dollars (\$394,899.60).

5 There was no personal property subject to probate.

6
7 9. Since the filing of the Inventory and Appraisal or Record of Value of All the Assets of
8 the Decedent, the Decedent's Estate received no income and had no expenses.

9 10. The federal individual income tax return for 2021 was paid. There is anticipated overpayment
10 refund in the amount of \$834.37.

11 The Estate is not expected to be required to file tax return for 2021.

12 11. Personal Representative is entitled to a statutory commission for serving as Personal
13 Representative in accordance with NRS 150.020, upon the whole amount of the estate
14 accounted for by the Personal Representative. Additionally, the court may allow such fees as
15 it deems just and reasonable. In this case, Petitioner and Personal Representative, KELLI
16 HARRIS, waives payment of any compensation for her services.

17
18 12. Vander Laan Law Firm LLC (hereinafter "Vander Laan Law Firm"), has served as counsel
19 for the Petitioner and Personal Representative and has consulted with the Petitioner and
20 Personal Representative on various matters. Petitioner and Personal Representative,
21 KELLI HARRIS, and Vander Laan Law Firm entered into an agreement for legal services
22 on February 9, 2022, whereby Vander Laan Law Firm is providing legal services on a
23 percentage basis pursuant to NRS 150.060. A copy of the Agreement is on file with the
24 Court.

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26 NRS 150.060 states in relevant part:

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

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

...

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

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

The gross value of the Estate was estimated at Three Hundred Ninety-Four Thousand Eight Hundred Ninety-Nine and 60/100 Dollars (\$394,899.60). There were no gains over the appraisal value on sales. There were no losses from the appraisal value on sales. There were no receipts after the Inventory. Statutory compensation should be calculated as follows:

4% on the first \$100,000.00	\$4,000.00
3% on the next \$100,000.00	\$3,000.00
2% on the next \$100,000.00	\$2,000.00
2% on the remaining \$94,899.60	\$1,897.99
Total Statutory Compensation (attorney's fees)	\$10,897.00 (rounded down)

The total statutory compensation (attorney's fees) equals Ten Thousand Eight Hundred Ninety-Seven and 00/100 Dollars (\$10,897.00 rounded down).

The costs advanced by Vander Laan Law Firm on behalf of the Estate to date total One Thousand Seven Hundred Fifty-Eight and 00/100 Dollars (\$1,758.00) as reflected in *Exhibit 2* to the Petition. Miscellaneous mailing and copying costs as well as other expenses are waived.

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Furthermore, Vander Laan Law Firm anticipates that it will expend an additional cost of Six Hundred Twenty-Seven and 00/100 Dollars (\$627.00) in the completion of and winding up of the estate as reflected in *Exhibit 2* to the Petition.

Total attorney's fees and costs advanced and anticipated equal Thirteen Thousand Two Hundred Eighty-Two and 00/100 Dollars (\$13,282.00).

Petitioner and Personal Representative requests the Court approve the attorney's fees plus the costs advanced and anticipated by Vander Laan Law Firm on behalf of the Estate in the sum of Thirteen Thousand Two Hundred Eighty-Two and 00/100 Dollars (\$13,282.00) and orders the payment of the same from the Estate of CHERILYNE LEI RETHERFORD.

13. The First and Final Account was filed on August 26, 2022, and is on file with the Court. Petitioner and Personal Representative requests the final settlement of account.

14. Petitioner and Personal Representative, KELLI HARRIS, hereby requests that the balance of the estate be distributed according to the terms of the Decedent's Last Will and Testament as follows:

(5.2) I give the residue of my estate, including both real and personal property of every kind and nature whatsoever and wherever situate, not otherwise conveyed to THE CHERIL YNE LEI RETHERFORD REVOCABLE LIVING TRUST, or not otherwise disposed of by written statement or passing outside of my estate, to the Trustees of THE CHERILYNE LEI RETHERFORD REVOCABLE LIVING TRUST to be distributed accordance with THE CHERILYNE LEI RETHERFORD REVOCABLE LIVING TRUST Agreement. I direct that the Trustee(s) named in the trust agreement shall hold the assets distributed pursuant to this Will, together with other assets of the trust, subject to all of the terms and provisions of the trust and any amendments made thereto prior to my death.

THEREFORE, the facts of the Petition having been found to be true, and good cause appearing, the Court now orders the following:

1 **IT IS HEREBY ORDERED** that Petition For a Final Settlement of Account, For Approval
2 of Fees and Costs, and for Decree of Final Distribution submitted by the Personal Representative is
3 hereby GRANTED;

4 **IT IS FURTHER ORDERED** that all of the acts and transactions of the Personal
5 Representative, as disclosed in the Petition, are hereby ratified, confirmed, and approved;

6 **IT IS FURTHER ORDERED** that the Final Account is settled;

7 **IT IS FURTHER ORDERED** that the attorney's fees plus the costs advanced and
8 anticipated by Vander Laan Law Firm on behalf of the Estate in the sum of Thirteen Thousand
9 Two Hundred Eighty-Two and 00/100 Dollars (\$13,282.00) to Vander Laan Law Firm, LLC are
10 approved as reasonable attorney's fees and costs and shall be paid from by Petitioner and Personal
11 Representative from the Estate of CHERILYNE LEI RETHERFORD to Vander Laan Law Firm;

12 **IT IS FURTHER ORDERED** that after payment of the sums approved herein, Petitioner
13 and Personal Representative is authorized to distribute the balance of the Estate, including any
14 after-discover assets, pursuant to the terms of the Decedent's Last Will and Testament, thus to
15 KELLI HARRIS, in her capacity as the Trustee of THE CHERILYNE LEI RETHERFORD
16 REVOCABLE LIVING TRUST;

17 **IT IS FURTHER ORDERED** that no further accounting is required and the Personal
18 Representative is honorably discharged and this matter is closed without further Court hearings;

19 **IT IS SO ORDERED.**

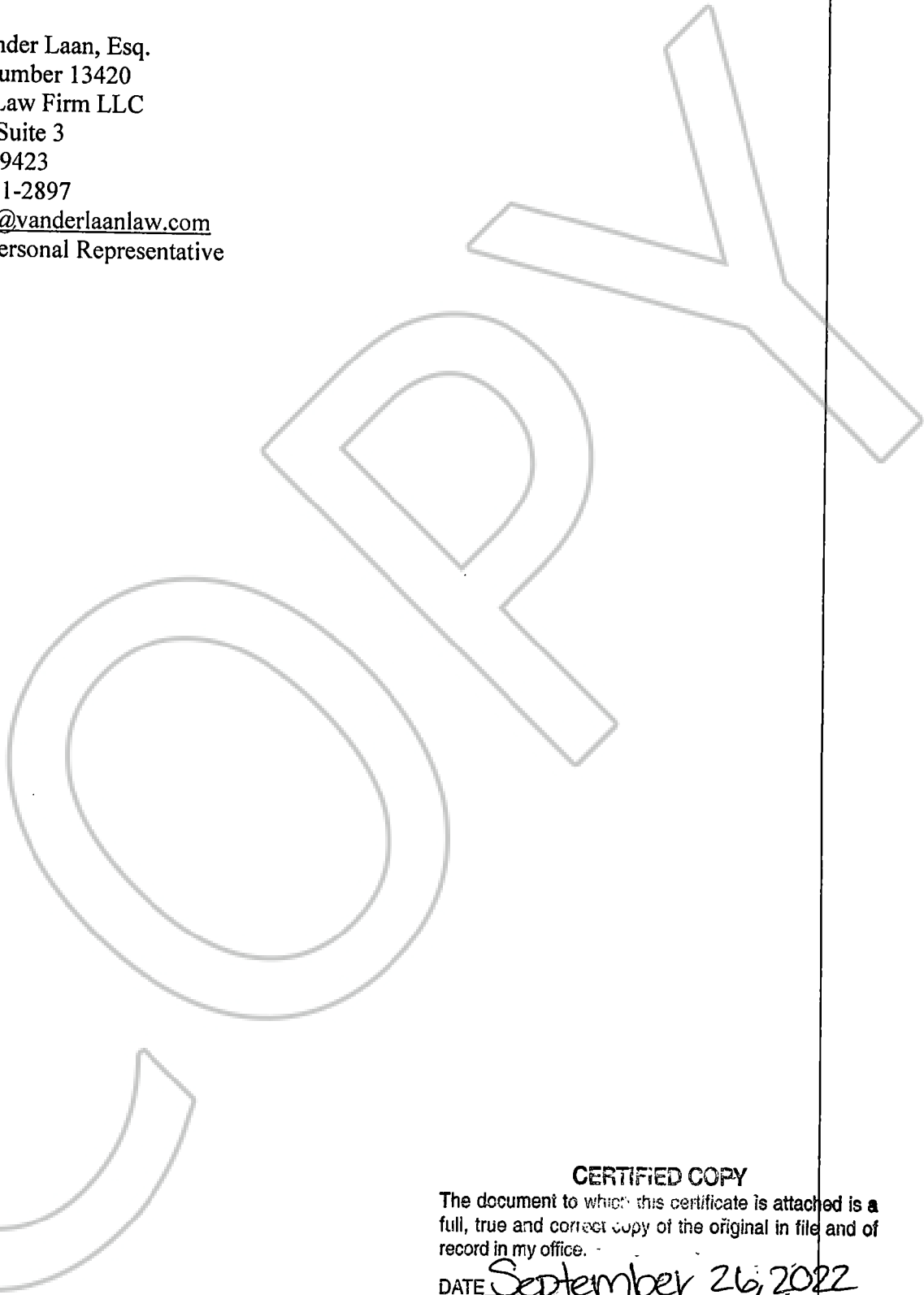
20 DATED this 26th day of September, 2022.

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DISTRICT JUDGE

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Submitted by:
Natalia K. Vander Laan, Esq.
Nevada Bar Number 13420
Vander Laan Law Firm LLC
1624 10th St., Suite 3
Minden, NV 89423
Phone: 775-461-2897
Email: natalia@vanderlaanlaw.com
Attorney for Personal Representative



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 September 26, 2022

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

By A. Walsh Deputy