

APN# 1220-03-110-037

Recording Requested by/Mail to:

Name: JONATHAN REED

Address: 6655 W, SAHARA B-200

City/State/Zip: LAS VEGAS NV 89146

Mail Tax Statements to:

Name: SHERYL HAINES

Address: 5210 HERITAGE DR

City/State/Zip: CONCORD CA 94521



SHAWNYNE GARREN, RECORDER E03

ORDER TO SET ASIDE ESTATE WITHOUT ADMINISTRATION
TO TRUST VIA POUR-OVER WILL

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

RECEIVED

JUL 18 2023

**Douglas County
District Court Clerk**

2023 JUL 18 2:15

[Handwritten signature]

1 DOUGLAS REED
2 Nevada Bar #11250
3 JONATHAN REED
4 Nevada State Bar #1454
5 REED & MANSFIELD
6 6655 W. Sahara Ave. B-200
7 Las Vegas, Nevada 89146
8 (702) 521-3794
9 e-mail: nevattorney@gmail.com
10 Attorneys for CO-PETITIONERS
11 SHERYL HAINES and DEBRA SPOOLMAN

DISTRICT COURT
DOUGLAS COUNTY, NEVADA

11 In the Matter of the Estate of) Case No.: 2023-PB-00076
12 BARBARA MAY HAINES,) Hearing Date: August 1, 2023
13) Dept. No.: 1
14 Deceased)

**ORDER TO SET ASIDE ESTATE WITHOUT ADMINISTRATION
TO TRUST VIA POUR-OVER WILL**

16 This matter came before the Court on August 1, 2023, upon proper notice and without
17 objection.

18 **The Court makes the following findings of fact:**

- 19
- 20 1. BARBARA MAY HAINES, a resident of Contra Costa County, CA died with a trust on
21 06/04/2022. The two Co-Petitioners are the Incumbent Trustees of that Trust. Each of
22 the two Co-Petitioners stated under penalty of perjury in the "Verifications and
23 Certificates of Incumbency," section of the Set-Aside Petition that each was one of the
24 incumbent Co-Trustees of this trust.
25
 - 26 2. The Decedent also died with a valid Pour Over Will into that Trust. The Pour Over Will
27 was lodged by the Superior Court of Contra Costa, California on 12/2/2022.
28

1 3. The Will is a pour-over will into Decedent's trust regarding the sole piece of Nevada real
2 estate subject to this Petition to Set Aside as can be seen by reading the Will, in
3 particular section 3.1 of the Will as no specific gift was made of the real estate, so it falls
4 into the residuary clause which pours over into the Decedent's Trust, the HAINES
5 FAMILY TRUST, more specifically described in the Will's ARTICLE TWO. GIFT OF ENTIRE
6 ESTATE 2.1 as "the Haines Family Trust, created under the declaration of trust executed
7 on September 22, 1993, and as amended and restated, by Fred E. Haines and Barbara
8 M. Haines, as Settlers and Trustees."

9
10
11 4. Decedent had THREE CHILDREN during her lifetime: (1) Petitioner SHERYL HAINES; and
12 (2) Petitioner, DEBRA SPOOLMAN; and (3) DONALD HAINES.

13
14 5. Thus the three would be intestate heirs required to be given notice of this petition to set
15 aside to a trust pursuant to a pour-over will. They are the Co-Petitioners and an adult
16 child of the decedent. The non-petitioning intestate heir has been provided with notice
17 of this proceeding and the two petitioning intestate heirs obviously have notice of this
18 proceeding by virtue of signing the Set-Aside Petition and hiring undersigned counsel.

19
20 6. The real estate located in DOUGLAS COUNTY, NV is the only known asset of the Nevada
21 estate. It is more specifically described as:

22 **APN # 220-03-110-037**

23
24 **All that certain parcel of land situate in the County of Douglas, State of Nevada,**
25 **being known and designated as follows:**

26 **Lot 8 in block B as shown on the Map entitled STODICK ESTATES SOUTH PHASE 1, In the**
27 **County of Douglas, State of Nevada, filed December 13, 2004 as Document No. 631678**
28 **in the office of the County Recorder of said County and as amended by a Certificate of**
Amendment recorded January 28, 2005 in Book 0105, Page 10247 of the Official

1 **Records.**

2 7. Petitioners have stated that all known debts of the Estate have been paid.

3 **The Court makes the following Conclusions of Law:**

4 1. Though the value of this real estate exceeds \$100,000 that does not matter
5 because this is a set aside to a trust pursuant to a pour-over will and pursuant to
6 NRS 146.070(1)(b).

7
8 2. The real estate described above is awarded to Co-Petitioners SHERYL HAINES and
9 DEBRA SPOOLMAN in their capacities as the Co-Trustees of THE HAINES FAMILY
10 TRUST pursuant to Decedent's Will.

11
12 3. This estate shall not be further administered upon as this was a Set Aside
13 proceeding and no Letters of Administration or Letters Testamentary will be
14 issued.

15
16 **IT IS SO ORDERED.**

17 Dated this 1 day of August, 2023

18
19 By 
DISTRICT COURT JUDGE

20
21 Respectfully Submitted:
22 REED & MANSFIELD

23 /s/ Jonathan C. Reed Dated 7/14/2023
24 Jonathan C. Reed, Esq.
25 Nevada Bar No. 1454
26 6655 W. Sahara Ave. B200
27 Las Vegas, Nevada 89146
28 Attorneys for Co-Petitioners

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 August 14, 2023

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

By [Signature] Deputy

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s)
 a) 1220-03-110-037
 b) _____
 c) _____
 d) _____

2. Type of Property:
 a) Vacant Land b) Single Fam. Res.
 c) Condo/Twnhse d) 2-4 Plex
 e) Apt. Bldg f) Comm'l/Ind'l
 g) Agricultural h) Mobile Home
 i) Other _____

FOR RECORDERS OPTIONAL USE ONLY	
BOOK _____	PAGE _____
DATE OF RECORDING: _____	
NOTES: <u>Per Jonathan OK to Change to</u> <u>Ex # 3 - PER COURT Order</u> <u>JK</u>	

3. Total Value/Sales Price of Property: _____ \$
 Deed in Lieu of Foreclosure Only (value of property) _____ (\$)
 Transfer Tax Value: _____ \$
 Real Property Transfer Tax Due: _____ \$

4. If Exemption Claimed:
 a. Transfer Tax Exemption per NRS 375.090, Section # 5
 b. Explain Reason for Exemption: TRANSFER UNDER A WILL

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [Signature] Capacity LAWYER
 Signature _____ Capacity _____

SELLER (GRANTOR) INFORMATION
(REQUIRED)

BUYER (GRANTEE) INFORMATION
(REQUIRED)

Print Name: BARBARA HAINES
 Address: 3033 DAKHAM DR.
 City: SAN RAMON
 State: CA Zip: 94583

Print Name: SHARYL HAINES
 Address: 5210 HERITAGE DR.
 City: CONCORD
 State: CA Zip: 94521

COMPANY/PERSON REQUESTING RECORDING

(required if not the seller or buyer)

Print Name: REED & MANSA LLP Escrow # _____
 Address: 6055 W SAMARA AVE 5200
 City: LAS VEGAS State: NV Zip: 89146

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)