

APN# 1420-07-711-009



SHAWNYNE GARREN, RECORDER

Recording Requested by/Mail to:

Name: Vander Laan Law Firm LLC

Address: 1624 10th St, Suite 3

City/State/Zip: Minden, NV 89423

Mail Tax Statements to:

Name: Debra Hays Vaughn

Address: PO Box 224

City/State/Zip: Sterling, OK 73567

Order Assigning and setting aside
decedent's estate without administration

Title of Document (required)

Please complete the Affirmation Statement below:

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)
Other NRS _____ (state specific law)

Military Discharge – NRS 419.020 (2)

-OR-

I the undersigned hereby affirm the attached document, including any exhibits, hereby submitted
for recording does NOT contain the personal information of any person(s). (Per NRS 239B.030)

qu

Signature

Thomas Vander Laan

Printed Name

This document is being (re-)recorded to correct document # _____, and is correcting

RECEIVED

FILED

Case No.: 2023-PB-00128

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Dept.: II

Douglas County
District Court Clerk

BOBBIE R. WILLIAMS
CLERK

BY *AW* DEPUTY

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

IN AND FOR THE COUNTY OF DOUGLAS

In the Matter of the Estate of:

STEPHEN ARNOLD HAYS,
Date of Death: May 14, 2013,

**ORDER ASSIGNING AND SETTING
ASIDE DECEDENT'S ESTATE
WITHOUT ADMINISTRATION**

Decedent.

UPON REVIEW of the verified Petition to Assign and Set Aside Decedent's Estate Without Administration submitted by the Petitioner, the same having come before the above-entitled Court for a hearing on the 13th day of November, 2023, and it appearing to the satisfaction of the Court that proper Notice of Hearing of this matter has been duly given in the manner required by law; that all allegations contained in the verified petition are true and correct, and that this Court is the proper court in this matter;

THIS COURT FINDS that STEPHEN ARNOLD HAYS (hereinafter "Decedent") died on May 14, 2013, in Reno, county of Washoe, state of Nevada.

THIS COURT FURTHER FINDS that pursuant to his Death Certificate on file with the Court, the Decedent was, at the date of his death, a resident of Carson City, county of Douglas, state of Nevada, and he left an estate in Nevada consisting of real property.

1 THIS COURT FURTHER FINDS that the Decedent died leaving a Last Will and Testament
2 that was lodged with this Court and is on file with the Court. Said Will was executed in compliance
3 with NRS 133.080.

4 THIS COURT FURTHER FINDS that Petitioner, DEBRA HAYS VAUGHN, is a resident
5 of Sterling, state of Oklahoma, and is considered the daughter of the Decedent. Article Three of the
6 Decedent's Last Will and Testament appoints Petitioner as the Personal Representative of the
7 Decedent's Estate. Specifically, Article Three of the Decedent's Last Will and Testament appoints
8 the Trustee of the Hays Family Trust as the Personal Representative and Article 3.2 of the Hays
9 Family Trust, on file with the Court, appoints the Petitioner as the Trustee.

11 THIS COURT FURTHER FINDS that the names, ages, and residences of the heirs and
12 devisees of the Decedent, so far as known to the Petitioner, are:

13 The Decedent was married at the time of his death but his Wife is now deceased.

14 The Decedent had two biological living children:

15 DOUGLAS HARRY HAYS, adult, 880 Jacks Valley Road, Carson City, NV 89705,

16 STEPHANIE RAE HAYS PACHECO, adult, address unknown; Stephanie Rae Hays

17 Pacheco is specifically disinherited in the Decedent's Last Will and Testament and in his

18 Trust. The Petitioner had no contact with her in approximately 60 years; therefore, she was

19 served by publication.

20 The Decedent had one child raised as his own, though not legally adopted:

21 DEBRA HAYS VAUGHN, adult, 419 N. Campbell Street, Sterling, OK 73567 (mailing

22 address: P.O. Box 224, Sterling, OK 73567), Petitioner herein.

23 The Decedent had no deceased children with living descendants.

1 THIS COURT FURTHER FINDS that the total value of the probate estate is more than One
2 Hundred Thousand Dollars (\$100,000.00) but less than Two Hundred Thousand (\$200,000.00). A
3 specific description and the value of all the property of the Decedent is as follows:

4 50% interest in real property located at 994 Mica Drive, Carson City, NV 89705; APN: 1420-
5 07-711-009; legal description: *LOT 2, IN BLOCK F, OF SUNRIDGE UNIT NO. 1-A,*
6 *ACCORDING TO THE MAP THEREOF FILED IN THE OFFICE OF THE COUNTY*
7 *RECORDER OF DOUGLAS COUNTY, NEVADA, ON APRIL 15, 1988, IN BOOK 488,*
8 *PAGE 1638, AS FILE NO. 176220.*

9
10 Stephen A. Hays and Nadine D. Hays took title to this real property as husband and wife as
11 joint tenants with right of survivorship; they later executed deed upon death to Debra Hays Vaughn;
12 they later transferred all their interest in this real property to Debra Hays Vaughn, which revoked the
13 deed upon death; Debra Hays Vaughn then transferred her interest to Stephen A. Hays and Nadine D.
14 Hays, causing them to hold title as tenants in common; Stephen A. Hays died on May 14, 2013 – his
15 interest was never probated; Nadine D. Hays then transferred her interest to Debra Hays Vaughn; this
16 leaves Stephen A. Hays' interest subject to this probate proceeding.

17
18 The value of all the property was determined based on the Offer and Acceptance Agreement
19 that at this time remains confidential due to the real estate transaction requirements, but the
20 Comparative Market Analysis yielded a fair market value range of \$350,000.00 to \$386,000.00.
21 Ultimately, an offer was accepted above the highest point of the fair market value range and the
22 Comparative Market Analysis excerpts are on file with the court.

23
24 The character of the property of the Estate is real property.

25 THIS COURT FURTHER FINDS that there are no known liens of record against the property
26 of the Decedent at the date of the Decedent's death.

1 THIS COURT FURTHER FINDS that there is mortgage of record against the property of the
2 Decedent at the date of the Decedent's death and the mortgage information is on file with the Court.
3 The real property subject to this probate proceeding is in the process of being sold, which revealed
4 the title issue requiring this probate proceeding. Once the title is vested in the Trustee of the Trust
5 pursuant to this Petition, the Trustee will continue with the sale and the mortgage due will be satisfied
6 from the proceeds of the sale.
7

8 THIS COURT FURTHER FINDS that there are no debts of the Decedent.

9 THIS COURT FURTHER FINDS that even though Petitioner incurred expenses on behalf of
10 the Estate, she is not seeking a reimbursement.

11 THIS COURT FURTHER FINDS that the following property shall be set aside pursuant to
12 NRS 146.070(2):

13 50% interest in real property located at 994 Mica Drive, Carson City, NV 89705; APN: 1420-
14 07-711-009; legal description: *LOT 2, IN BLOCK F, OF SUNRIDGE UNIT NO. 1-A,*
15 *ACCORDING TO THE MAP THEREOF FILED IN THE OFFICE OF THE COUNTY*
16 *RECORDER OF DOUGLAS COUNTY, NEVADA, ON APRIL 15, 1988, IN BOOK 488,*
17 *PAGE 1638, AS FILE NO. 176220.*

18
19 THIS COURT FURTHER FINDS that no property shall be set aside pursuant to NRS
20 146.070(3).

21 THIS COURT FURTHER FINDS that the attorney's fees in the amount of \$4,000.00 (a
22 flat fee of \$4,000.00 calculated based on the hourly rate of \$400.00) and costs in the amount of
23 \$818.14 (\$299.50 filing fee and \$518.64 publication cost; mailing and travel costs are waived) are
24 reasonable pursuant to the agreement for legal services entered between the Petitioner and Vander
25 Laan Law Firm on October 8, 2023.
26

1 THIS COURT FURTHER FINDS that DEBRA HAYS VAUGHN, as Trustee of the
2 HAYS FAMILY TRUST, dated December 28, 2005, is the only distributee pursuant to the
3 Decedent's Last Will and Testament, specifically Article 2.1, and the following property: the
4 Decedent's interest in real property located at 994 Mica Drive, Carson City, NV 89705; APN:
5 1420-07-711-009; legal description: *LOT 2, IN BLOCK F, OF SUNRIDGE UNIT NO. 1-A,*
6 *ACCORDING TO THE MAP THEREOF FILED IN THE OFFICE OF THE COUNTY*
7 *RECORDER OF DOUGLAS COUNTY, NEVADA, ON APRIL 15, 1988, IN BOOK 488, PAGE*
8 *1638, AS FILE NO. 176220*, and any after-discovered assets, shall be distributed to DEBRA HAYS
9 VAUGHN, as Trustee of the HAYS FAMILY TRUST, dated December 28, 2005, pursuant to the
10 Decedent's Last Will and Testament and pursuant to N.R.S. 146.070(1)(b).
11

12
13 Therefore, based on the foregoing and good cause appearing,

14 **IT IS HEREBY ORDERED** that Petition to Assign and Set Aside Decedent's Estate
15 Without Administration submitted by the Petitioner is GRANTED;
16

17 **IT IS FURTHER ORDERED** that Petitioner is granted full authority to execute any
18 documentation necessary for administering the affairs of the Estate and no bond is required;

19 **IT IS HEREBY FURTHER ORDERED** that reasonable attorney's fees of \$4,000.00 and
20 the costs of filing fees and publication in the amount of \$818.14 to Vander Laan Law Firm LLC
21 are confirmed and ordered to be paid from the estate of the Decedent, STEPHEN ARNOLD
22 HAYS;
23

24 **IT IS HEREBY FURTHER ORDERED** that, after the payment of the attorney's fees and
25 costs, the entire estate of STEPHEN ARNOLD HAYS, including the following property: the
26 Decedent's interest in real property located at 994 Mica Drive, Carson City, NV 89705; APN:
27

1 1420-07-711-009; legal description: LOT 2, IN BLOCK F, OF SUNRIDGE UNIT NO. 1-A,
2 ACCORDING TO THE MAP THEREOF FILED IN THE OFFICE OF THE COUNTY
3 RECORDER OF DOUGLAS COUNTY, NEVADA, ON APRIL 15, 1988, IN BOOK 488, PAGE
4 1638, AS FILE NO. 176220, and any after-discovered assets, shall be assigned and set aside to
5 DEBRA HAYS VAUGHN, as Trustee of the HAYS FAMILY TRUST, dated December 28, 2005,
6 pursuant to the Decedent's Last Will and Testament and pursuant to N.R.S. 146.070(1)(b).
7

8 **IT IS SO ORDERED.**

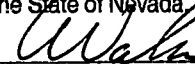
9 DATED this November 13th, 2023.

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11 
12 DISTRICT JUDGE

13 Submitted by:
14 Natalia K. Vander Laan, Esq.
15 Attorney for Petitioner
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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.

6
DATE November 13, 2023
BOBBIE R. WILLIAMS Clerk of Court
of the State of Nevada, in and for the County of Douglas,
By  Deputy