

APN# 1220-04-002-017

Recording Requested by:

Name: Sharon M. Jannuzzi
Address: 6100 Neil Road, Suite 500
City/State/Zip: Reno, Nevada 89511

When Recorded Mail to:

Name: Sharon M. Jannuzzi
Address: 6100 Neil Road, Suite 500
City/State/Zip: Reno, Nevada 89511

Mail Tax Statement to:

Name: Gregory V. Holst, Trustee
Address: P.O. Box 9
City/State/Zip: Gardnerville, NV 89410



SHAWNYNE GARREN, RECORDER

(for Recorder's use only)

ORDER SETTING ASIDE ESTATE WITHOUT ADMINISTRATION
(**Title of Document**)

Please complete Affirmation Statement below:

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

-OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law:

(State specific law)

Sharon M Jannuzzi Attorney
Signature Title

SHARON M. JANNUZZI
Printed Name

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink.

1 Case No.: 2002-PB-00173

2 Dept. No.: II

RECEIVED

NOV 23 2022

Douglas County
District Court Clerk

FILED

2022 DEC 19 PM 3:17

SUZANNE WILLIAMS
CLERK

[Signature]
BY *[Signature]* DEPUTY

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

8 IN THE MATTER OF THE ESTATE OF
9 DANA GERALD BING, JR., aka D.
10 GERALD BING, aka D. GERALD BING,
11 JR.,

Deceased. _____ /

12 **ORDER SETTING ASIDE**
13 **ESTATE WITHOUT ADMINISTRATION**

14 The Court having reviewed the Petition to Set Aside Estate Without
15 Administration in which Gregory V. Holst requests an order setting aside the above
16 estate without administration, this matter having come before the Court on this date, the
17 Court having considered said petition, the file herein, notice of the hearing having been
18 given according to law, and good cause appearing therefor, the Court finds as follows:

19 1. Dana Gerald Bing, Jr., aka D. Gerald Bing, aka D. Gerald Bing, Jr., died on
20 December 8, 2021. At the time of his death, the Decedent left property in Douglas
21 County, Nevada subject to the jurisdiction of this court.

22 2. The Decedent left a duly executed Last Will and Testament dated
23 December 4, 2020, and a Codicil to Last Will and Testament dated June 3, 2021, in
24 which Petitioner is named as Personal Representative.

25 3. The Decedent's Last Will and Testament is self-proving as defined by NRS
26 §133.050.

27 4. Article 2(C) of Decedent's Will, as modified by the Codicil to Last Will and
28 Testament dated June 3, 2021, provides in pertinent part as follows:

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B. I bequeath and devise the residue of my estate to the trustee of that trust designated as the D. GERALD BING, JR. TRUST, of which I am the settlor and the trust agreement for which I have amended this day. I direct that the residue of my estate shall be added to, administered, and distributed as part of that trust, according to the terms of the trust and any amendment made to it before my death. To the extent permitted by law, it is not my intent to create a separate trust by this Will or to subject the trust or the property added to it by this Will to the jurisdiction of the probate court.

5. Petitioner is the successor trustee of the D. Gerald Bing Trust dated January 17, 2000 (the "Trust").

6. NRS §146.070(1)(b) provides as follows:

All or part of the estate of a decedent may be set aside without administration by the order of the court as follows: [...]

(b) If a decedent's will directs that all or part of the decedent's estate is to be distributed to the trustee of a nontestamentary trust established by the decedent and in existence at the decedent's death, the portion of the estate subject to such direction may be set aside without administration. Any portion of a decedent's estate set aside to the nontestamentary trust pursuant to this paragraph is subject to creditors of the estate unless the petitioner provides proof to the court that the trustee has published or mailed the requisite notice to such creditors on behalf of the nontestamentary trust and settlor pursuant to NRS 164.025.

7. The assets of the Decedent's estate situated in the State of Nevada and subject to testamentary disposition consist of loans and promissory notes.

8. As successor trustee of the Trust, Petitioner has published such notice in Douglas County.

9. Pursuant to NRS §146.070(1)(b), the Court should make and enter its order setting aside the Decedent's property to the D. Gerald Bing Trust dated January 17, 2000, after payment of any expenses of last illness, money due to the Department of Human Resources, if any, and Decedent's creditors.

Based on the foregoing findings of fact,

IT IS HEREBY ORDERED THAT:

1. Due and lawful notice has been given of the Petition to the decedent's heirs and devisees pursuant to NRS §146.070 and §155.010.

1 2. The Decedent's Will, as modified by the Codicil, is valid and pours over to
2 the Trust, which is a nontestamentary trust that was in existence at the time of
3 Decedent's death.

4 3. Notice to creditors was mailed to known creditors and published as to
5 unknown creditors on behalf of the Trust.

6 4. The estate should be set aside and not be administered upon.

7 5. The balance of the Decedent's property, after payment of administrative
8 costs, any money owed to the Department of Human Resources and Decedent's
9 creditors, including the following property:

Type of Property	Gross Value as of 12/8/2021
Promissory note dated 09/17/2012 for \$25,000 from Carson Valley Chamber of Commerce	\$25,000.00
Promissory note dated 09/28/2007 for \$8,500 from Stanton Lamb	\$8,500.00
Loans by verbal agreement on 05/02/2008 and 10/03/2008 to Stanton Lamb	\$25,000.00
Promissory note dated 12/27/2002 for \$20,000 from Kerry Miller (with accrued interest)	\$22,771.34
Loan evidenced by "Certificate of Participation" dated 08/01/2013 for \$75,000 from Douglas F. Neddenriep	\$26,600.00
Promissory note dated 10/09/2002 for \$20,000 from Lori J. Nelson	\$20,000.00
Secured promissory note dated 03/06/2008 for \$300,000 plus interest from William Presse	\$315,000.00
Obligation per written loan agreement dated 08/10/2017 with Mark Rasmusson, President, Ktreats, LLC	\$100,000.00
Promissory notes from Byron Waite (7 total) and verbal agreements with Byron Waite (8 total) (first of many dated 02/17/2014)	\$145,000.00

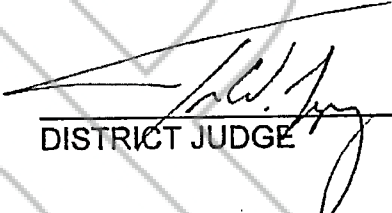
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Interest (unissued stock) in SAS Construction, Inc. Value of equity interest (aside from tax basis) = \$0- Loans to corporation = \$367,639.00	\$367,639.00
Bing, LLC Membership Interest (100%) (holds title to Douglas County APN 1220-04-002-017 appraised at \$275,000 and Promissory note dated 03/22/2005 for \$165,000 from Walter Lee)	\$440,000.00
Loan / cash advance to Lori Baxter	\$10,000.00
TOTAL VALUE	\$1,505,510.34

and any property not known or that is later discovered, shall be set aside to the D. Gerald Bing Trust dated January 17, 2000, after payment of any expenses of last illness, money due to the Department of Human Resources, if any, and Decedent's creditors.

DATED this 19th day of December, 2022.

IT IS SO ORDERED.

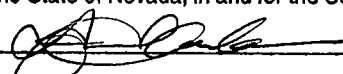


DISTRICT JUDGE

Submitted by:
WOODBURN AND WEDGE
Sharon M. Jannuzzi
Attorneys for Petitioner, Gregory V. Holst

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 December 03, 2022
BOBBIE R. WILLIAMS Clerk of Court
of the State of Nevada, in and for the County of Douglas,
By  Deputy