

APN# 1220 1271 0012



00167302202309958950080083
SHAWNYNE GARREN, RECORDER

Recording Requested by/Mail to:
Name: Daniel Judd, Esq.
Address: 402 N. Division Street
City/State/Zip: Carson City, NV 89702

Mail Tax Statements to:
Name: Elizabeth Cook
Address: 1094 Log Cabin Road
City/State/Zip: Gardnerville, NV 89410

Order Waiving the First and Final Account, for Fees and for Final Distribution

Title of Document (required)

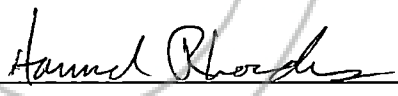
Document # _____ is being (re-)recorded to correct;

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
Hannah Rhoades

Printed Name

RECEIVED

APR 17 2023

Douglas County
District Court Clerk

FILED

2023 APR 17 PM 1:38

DOUGLAS WILLIAMS
CLERK

BY F. SHOEMAKER
CLERK

1 Case No. 22 PB 00161

2 Dept. No. II

3 The undersigned affirms that this document DOES NOT contain the social
4 security number, driver's license number, identification card number,
complete financial account number with accompanying password and/or pin.

5
6
7 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF DOUGLAS

9 -o0o-

10 IN THE MATTER OF THE ESTATE

**ORDER WAIVING THE FIRST
AND FINAL ACCOUNT, FOR FEES
AND FOR FINAL DISTRIBUTION**

11 OF

12 WILLIAM ARTHUR COOK,

13 Deceased,

14 _____ /

15 THIS MATTER COMES before the Court pursuant to a Petition for Waiver of Frist and
16 Final Account, For Fees and for Final Distribution filed herein by Petitioner, ELIZABETH COOK, the
17 duly appointed Administrator of the Estate WILLIAM ARTHUR COOK, deceased, by and through
18 her attorneys, ALLISON MACKENZIE, LTD. Good cause appearing therefor,

19 I.

20 DECEDENT

21 That WILLIAM ARTHUR COOK (hereinafter referred to as "decedent"), died on
22 August 22, 2022, being at the time of his death a resident of and domiciled in Douglas County, State of
23 Nevada, leaving at the time of his death certain property located in the State of Nevada. A certified
24 copy of the decedent's death certificate is attached to the original Petition as Exhibit 1.

25 ///

26 ///

27 ///

ALLISON MACKENZIE, LTD.
402 North Division Street, P.O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

II.

LAST WILL AND TESTAMENT

That Petitioner is informed and believes that decedent did not leave a valid Last Will and Testament and therefore died intestate.

III.

ADMINISTRATOR

Petitioner is a Nevada resident and the wife of decedent. That Petitioner has not been convicted of a felony and is otherwise qualified to serve in the capacity of Administrator. That Petitioner is willing to act as Administrator of the estate.

III.

APPOINTMENT OF ADMINISTRATOR AND ISSUANCE OF LETTERS OF ADMINISTRATION

That on November 21, 2022, this Court granted administration herein and appointed Petitioner, as Administrator of the decedent's estate in the State of Nevada and Letters of Administration were issued to her on December 1, 2022. That since such time, Petitioner has been and remains the duly acting Administrator of the decedent's estate.

IV.

NOTICE TO CREDITORS

That Notice to Creditors of the decedent's estate to present their claims within the time and in the manner provided for by law was filed herein on November 22, 2022, and duly published in the Nevada Appeal, such publications occurring between November 30 and December 14, 2022. No claims have been or were filed against the estate.

That the Notice to Creditors was sent to the STATE OF NEVADA, DEPARTMENT OF HEALTH AND HUMAN SERVICES, MEDICAID ESTATE RECOVERY, via certified mail return receipt on November 28, 2022. That the STATE OF NEVADA, DEPARTMENT OF HEALTH AND HUMAN SERVICES, MEDICAID ESTATE RECOVERY did not file a claim against the estate.

///

ALLISON MacKENZIE, LTD.
402 North Division Street, P.O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

V.

FEDERAL ESTATE TAX

That the total value of the assets of the estate on the date of death of decedent were such that it was not necessary for Petitioner to file with the IRS a Federal Estate Tax Return, Form 706.

VI.

INVENTORY, APPRAISEMENT AND RECORD OF VALUE

That Petitioner filed an Inventory, Appraisalment and Record of Value ("Inventory") in this matter. As set forth in the Inventory, the gross value of the whole of the decedent's estate in the State of Nevada was the sum of Seven Hundred Sixty-Nine Thousand Dollars and No/100 Dollars (\$769,000.00). That as of decedent's death, decedent's estate subject to administration consisted of an interest in real property as indicated therein.

IV.

HEIRS AND NEXT-OF-KIN

That so far as known to Petitioner, the names, relationships, ages, and last known addresses of the heirs and next-of-kin within the second degree of consanguinity of the decedent, are as follows:

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>ADDRESS</u>
ELIZABETH COOK	Wife	Adult	1094 Log Cabin Rd. Gardnerville, NV 89410
CHRISTOPHER COOK	Son	Adult	10021 Dibble Ave, NW Seattle, WA 98177
BAILEY NALDER	Daughter	Adult	1094 Log Cabin Rd. Gardnerville, NV 89410
BRYAN COOK	Son	Adult	1094 Log Cabin Rd. Gardnerville, NV 89410
BRADY NALDER	Grandson	Minor	1094 Log Cabin Rd. Gardnerville, NV 89410
RANDY McCONVILLE	Brother	Adult	1156 Jacobsen Ln. Gardnerville, NV 89410

///

ALLISON MacKENZIE, LTD.
402 North Division Street, P.O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

VIII.

DEVISEE

That upon the belief that decedent died intestate, and that decedent was survived by a spouse, and children, NRS 134.040 states that the estate consisting of separate property will be distributed one-third (1/3) to the surviving spouse and the remaining two-thirds (2/3) to the children. Petitioner, the surviving spouse, and the children, the remaining beneficiaries, have entered into a beneficiary agreement in which Petitioner is to receive the entire estate of decedent. Attached to the original Petition as Exhibit 2 is a copy of the agreement among the beneficiaries.

IX.

DISTRIBUTION OF ESTATE

That the estate is in a position to be distributed and should be distributed to ELIZABETH COOK.

X.

WAIVER OF FIRST AND FINAL ACCOUNT

That Petitioner and Beneficiaries hereby waives all right to an accounting pursuant to NRS 150.075. Attached hereto as Exhibit 1 is a signed waiver of accounting by all legal beneficiaries of the estate.

XI.

PERSONAL REPRESENTATIVE FEES AND COSTS

That pursuant to NRS 150.020, Petitioner has rendered services as Personal Representative and is entitled to compensation therefor but declines and waives any said fee.

XII.

ATTORNEYS' FEES AND COSTS

That Petitioner has engaged the services of ALLISON MacKENZIE, LTD., as attorneys for Petitioner and said firm has rendered such legal services to the Administrator and is entitled to reasonable compensation therefor. That pursuant to NRS 150.060, an attorney may be compensated based upon (a) the applicable hourly rate of the attorney; (b) the value of the estate accounted for by the Personal Representative, (c) an agreement, or (d) any other method preapproved by the Court.

ALLISON MacKENZIE, LTD.
402 North Division Street, P.O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com

1 That pursuant to the statutory formula enumerated in NRS 150.060(4), ALLISON
2 MacKENZIE, LTD., is entitled to attorneys' fees in the amount of EIGHTEEN THOUSAND
3 THREE HUNDRED EIGHTY and 00/100 DOLLARS (\$18,380.00). Said amount is determined as
4 follows:

5 4% of the first \$100,000.00 = \$4,000.00
6 3% of the next \$100,000.00 = \$3,000.00
7 2% of the next \$569,000.00 = \$11,380.00

8
9 Total Statutory Fee = \$18,380.00

10 That in lieu of receiving attorneys' fees based upon the general statutory rate
11 delineated above, ALLISON MacKENZIE, LTD., has elected to receive compensation based on its
12 hourly rate against the actual amount of time expended on this matter. That to date, ALLISON
13 MacKENZIE, Ltd., has expended 16.6 hours related to this matter. That amongst said hours,
14 Petitioner was billed at the hourly rate between \$325.00 for time spent by attorneys. In reaching this
15 amount, the firm was required to expend time in preparing all court documents, attending the
16 hearings herein, and in attending to those matters customary in administering an estate.

17 That based upon such hours and the customary rates as indicated herein above,
18 ALLISON MacKENZIE, LTD., requests general compensation in the total amount of \$5,395.00.

19 That in addition to the services rendered, ALLISON MacKENZIE, LTD., has
20 advanced the amount of \$1,071.14 as and for filing fees, obtaining certified copies, postage and in
21 publishing the required notices under Nevada law.

22 That based upon the foregoing, ALLISON MacKENZIE, LTD., requests total
23 compensation in the amount of \$6,511.14.

24 XIII.

25 FEDERAL TAXES

26 That Petitioner is informed and believes that the decedent's taxes for 2022 need to be
27 prepared and filed and there may be taxes due. That Petitioner will prepare the 2022 returns, and pay
any taxes due, including professional fees and costs to close the estate, if any.

NOW THEREFORE, IT IS HEREBY ORDERED, as follows:

ALLISON MACKENZIE, LTD.
402 North Division Street, P.O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

1. That the First and Final Account is waived pursuant to NRS 150.075.

2. The Personal Representative is authorized and directed to pay ALLISON MACKENZIE, LTD., the amount of \$5,395.00 in fees and \$1,071.14 in costs.

3. The Personal Representative is authorized and directed to pay any taxes, accounting fees, and fees and costs associated to close the estate.

4. The Personal Representative is authorized and directed to distribute the decedent's estate, now known or hereinafter discovered to ELIZABETH COOK including specifically all interest in the certain piece of real property commonly known as: 1094 Log Cabin Road, Gardnerville, Nevada and more specifically described as:

Lot 31 Block C, as set forth in the Plat of PINENUT MANOR NO. 1 and 2, PHASE 2, filed for record in the office of the County Recorder of Douglas County, Nevada on June 16, 1980, in Book 680, page 1361, Document No. 45348.

Subject to the Declaration of Covenants, Conditions and Restrictions in an instrument recorded August 26, 1983 in Book 883, Page 2350, Document No. 86187 of Official Records.

DATED this 17th day of April, 2023.


DISTRICT JUDGE

4874-7838-8811, v. 1

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 April 17, 2003

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

By [Signature] Deputy