

APN# 1220-10-401-025

Recording Requested by/Mail to:

Name: FIRST AMERICAN TITLE

Address: 1663 US HWY 395 N STE 101

City/State/Zip: MINDEN NV 89423

Mail Tax Statements to:

Name: The Estate of Joel Alden Jern

Address: 4392 North Prairie Willow Ct

City/State/Zip: Concord CA 94521

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

E.TOBIAS

Printed Name

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1 Case No.: 2022-PB-00152

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2 Dept. No.: I

Douglas County
District Court Clerk

BOBIE R. WILLIAMS
CLERK

C. Walsh DEPUTY

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

9
10 In the Matter of the Estate of
11 **JOEL ALDEN JERN,**
12 Deceased.

13 } ORDER GRANTING PETITION FOR
14 } PROBATE OF WILL AND FOR
15 } ISSUANCE OF LETTERS
16 } TESTAMENTARY WITH FULL
17 } AUTHORITY UNDER THE
18 } INDEPENDENT ADMINISTRATION OF
19 } ESTATES ACT
20 } (GENERAL ADMINISTRATION NRS
21 } 136.090)

22
23 Before the Court is the *PETITION FOR PROBATE OF WILL AND FOR ISSUANCE OF*
24 *LETTERS TESTAMENTARY, AND FOR FULL AUTHORITY UNDER THE INDEPENDENT*
25 *ADMINISTRATIN OF ESTATES ACT (GENERAL ADMINISTRATION NRS 136.090)*

26 ("Petition") filed September 23, 2022, on behalf of Petitioner Hillary N. Kissack, as executrix of
27 the Estate of Joel Alden Jern. The Petition came before the Court for Hearing on December 6,
28 2021.

On proof made to the satisfaction of the Court, the Court finds that notice of the hearing
of the Petition has been given as required by law and that the facts alleged in the Petition are
true. No objection to the Petition has been filed or otherwise submitted by any party.

THE COURT FINDS AS FOLLOWS:

1 1. Joel Alden Jern, hereinafter referred to as the “Decedent” was born September 8,
2 1941, and died June 14, 2022, in the City Gardnerville, County of Douglas, State of Nevada. At
3 the time of his death, Decedent was a resident of and domiciled in said city, county and state.

4 2. A redacted copy of the Decedent’s death certificate is attached to the Petition as
5 **Exhibit 1.**

6 3. **Jurisdictional Facts, NRS 136.090(1)(a):** This court has jurisdiction over the
7 Decedent’s estate pursuant to NRS 136.010(1)(a) and (b) because (a) a portion of his estate is
8 located in Douglas County, and (b) at the time of Decedent’s death he was a resident of Douglas
9 County. Specifically, at the time of his death, the Decedent resided in and held an interest
10 through his limited liability company in real property in said county, commonly known as 1501
11 Niblick Drive, Gardnerville, Nevada, and more particularly described below (hereinafter the
12 “Real Property”).

13 4. **Venue Facts.** The above-entitled district court is a reasonably convenient forum
14 for the person(s) named as personal representative in the Will. (NRS 136.090(1)(g)(1).)

15 5. **Additional Venue Facts.** The above-entitled district is, likewise, a reasonably
16 convenient forum to the heirs, devisees, interested persons or beneficiaries to the Decedent or
17 estate and their legal counsel. (NRS 136.090(1)(g)(2).)

18 6. The Real Property mentioned above, 1501 Niblick Dr., Gardnerville, Douglas
19 County Assessor’s Parcel No. 1220-10-401-025, is titled in the name of Deadlog, LLC, a
20 Nevada limited liability company, and is particularly described in the *GRANT, BARGAIN, AND*
21 *SALE DEED* recorded in the Office of the County Recorder of Douglas County, State of
22 Nevada, on January 17, 2017, as Document No. 2017-893467, a true and correct copy of which
23 is attached to the Petition as **Exhibit 2.**

24 7. Decedent left a Last Will and Testament entitled *LAST WILL AND TESTAMENT*
25 *OF JOEL ALDEN JERN*, dated December 17, 2018 (hereinafter the “Will”). At the time the
26 Will was executed by Decedent as Testator, Decedent was over the age of eighteen (18) years
27 and was of sound and disposing mind and not acting under duress, menace, fraud, or undue
28 influence, and was in every respect competent, by his last will, to dispose of his estate.

1 8. The Decedent's original Will has been lodged with the Clerk of this court on
2 October 5, 2022.

3 9. A copy of the Will is attached to the Petition as **Exhibit 3**.

4 10. At the time of his death Decedent was a single man (having previously divorced
5 his former wife, Gail Jern), and was survived by both of his children, named below.

6 11. Petitioner is one of Decedent's surviving adult children. Petitioner is a resident of
7 and domiciled in the State of California, County of Contra Costa.

8 12. **Consent to Appointment, NRS 136.090(1)(b):** In the Petition, Petitioner has
9 indicated her consent to act as the executor of Decedent's Estate.

10 13. Petitioner alleges that Decedent's two (2) children listed below are the sole heirs
11 at law of Decedent's Estate upon the date of Decedent's death.

12 14. **Heirs, Next of Kin, Legatees, and Devisees of the Decedent, NRS**
13 **136.090(1)(c):** The names, estimated ages, and residence addresses of the heirs, next of kin,
14 legatees, and devisees of the Decedent, so far as known to Petitioners, as of the date of
15 Decedent's death are as follows:

<u>Name</u>	<u>Relationship/Age</u>	<u>Address</u>
Hillary Kissack	Daughter (adult)	4392 North Prairie Willow Court Concord, CA 94521
Jarrett Jern	Son (adult)	763 Autumn Drive Walnut Creek, CA 94598

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17
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20 15. The substantive distribution provisions of the Will are as follows:

21 **ARTICLE III**

22 **GIFTS, BEQUESTS AND DEVICES**

23 **1. Tangible Personal Property List.** Pursuant to the provisions for the
24 Nevada Revised Statutes §133.045, I have made or will make, and sign, a
25 written list disposing of items of tangible personal property not otherwise
26 specifically disposed of by this instrument. I give each item described in
27 the list in existence at the time of my death to the individual or
28 organization designated in such list to receive such item. If for any reason
 such list is legally ineffective, or does not exist, such item shall be
 distributed pursuant to this Will.

1 **2. General Bequest.** I give all of the rest and residue of my estate,
2 including any gifts of tangible personal property that fail and are not
3 otherwise distributed, equally to my two (2) [sic] HILLARY KISSACK
4 and JARRETT JERN, to be administered and distributed by my Personal
5 Representative of my Last Will and Testament as provided by the terms
6 and provisions herein. If either one of my adult children fail to survive me,
7 then [sic] his or her share shall be distributed equally to such deceased
8 child's living issue.

9 16. Petitioner alleges that there is not any written list disposing of items of tangible
10 personal property such as that described in the above-quoted portion of the Will.

11 17. **The name of any Devisee who is Deceased, NRS 136.090(1)(f):** There are no
12 devisees under Decedent's Will who have predeceased the Decedent, or who have passed away
13 subsequent to the date of Decedent's death.

14 18. Accordingly, Decedent's two surviving adult children, listed above, constitute all
15 of the devisees under Decedent's Will and all of the interested persons otherwise entitled to share
16 in Decedent's Estate.

17 19. Based on generally available market data Petitioner alleges that at the date of
18 Decedent's death, the value of the above-described Real Property owned by Deadlog, LLC, is
19 estimated to have been in the approximate range of \$900,000 to \$1,200,000. Petitioner alleges
20 that Deadlog, LLC, holds the Real Property free and clear of any and all liens other than the lien
21 for taxes and assessments not yet due. Petitioner states that she will provide a more accurate date
22 of death value later in the course of these proceedings. Petitioner intends to sell the Real Property
23 and distribute the proceeds of sale through the Estate.

24 20. At the time of his death, Decedent owned a limited liability company
25 membership interest in one or more limited liability companies based in the State of Indiana,
26 including Walnut GV-X, LLC, a limited liability company based in Carmel, Indiana ("GVX"),
27 which owns an apartment complex (or complexes) called Fox Brook & Walnut Manor located in
28 Indiana, and that Decedent's interest in GVX is believed by Petitioner to be presently worth
approximately \$358,263, but is not liquid or readily saleable. Petitioner's alleges that her
investigation regarding the nature and extent of this and any other limited liability company

1 interests held by Decedent at the time of his death is ongoing and will be updated when
2 Petitioner files her inventory and appraisal in this matter at a later date.

3 21. Petitioner alleges that at the date of Decedent's death, Decedent and Petitioner
4 jointly owned a deposit account at Nevada State Bank, Account # xxxxxx352, which held the
5 sum of **\$14,342.94** on the date of Decedent's death. The account title on the date of Decedent's
6 death was listed as Joel A. Jern, Hillary N. Kissack. Petitioner alleges that the nature of this joint
7 bank account has not yet been determined, and the facts regarding its inclusion or non-inclusion
8 in Decedent's estate are currently undetermined. Petitioner advises that she will further inform
9 the court regarding the nature and factual information surrounding this account and, as may be
10 necessary, seek instructions regarding the same.

11 22. At the time of his death, Decedent owned a brokerage account at Edward Jones,
12 Account # xxxxxx914, which held the total sum of **\$27,907.49** on June 24, 2022, which is the
13 end date of the account statement immediately following Decedent's death. Petitioner alleges
14 that the existence of any pay on death attributes of this brokerage account has not yet been
15 determined, and the facts regarding its inclusion or non-inclusion in Decedent's estate are
16 currently undetermined. Petitioner advises that she will further inform the court regarding the
17 nature of and factual information surrounding this account and, as may be necessary, seek
18 instructions regarding the same.

19 23. At the time of his death, Decedent owned a 2018 Nissan pickup truck, the value
20 of which is approximately **\$20,000**, more or less.

21 24. At the time of his death, Decedent also owned various personal belongings and
22 furnishings the aggregate fair market value of which are currently undetermined but believed to
23 be \$500 or less.

24 25. At the time of his death, most or all of Decedent's debts and expenses were
25 already paid in full and that he had no long-term debts.

26 26. Petitioner plans to consult with a CPA to determine if there any federal, state or
27 local income tax payment or filing obligations which must be completed in the course of
28 administering Decedent's estate.

1 27. Petitioner advises that a final list and inventory of the Nevada probate assets,
2 including the above, will be filed with the Court at a later date. At that time, Petitioner advises
3 that she will provide more accurate date of death values for the assets described herein.

4 28. There are no liens or encumbrances on the Property known to Petitioner, other
5 than the lien for taxes not yet due and covenants, conditions and easements of record.

6 29. **Recap- Character and Estimated Value of the Property of the Estate, NRS**
7 **136.090(1)(d):** Accordingly, the character and nature of the property of the Decedent's Nevada
8 probate estate are as follows:

<u>Asset Description</u>	<u>Value</u>	<u>Value Date</u>
Real Property:		
1501 Niblick Dr. (vested in Deadlog, LLC)	\$900,000 - \$1,200,000	June 14, 2022
Personal Property:		
GVX LLC membership	\$358,263	June 14, 2022
Bank Deposits	\$14,342.94 **	June 14, 2022
Brokerage Accounts	\$27,907.49 **	June 24, 2022
2018 Nissan	\$20,000	June 14, 2022
Furnishings and Personal	\$500	June 14, 2022
Total:	\$1,321,013 to \$1,621,013 **	

19 (** inclusion in probate estate to be determined.)

20 30. **The person(s) for whom letters are requested, NRS 136.090(1)(e):** The name
21 of the person for whom Letters Testamentary are prayed is the Petitioner, Hillary Kissack, who is
22 the first named Executor under the Will. Petitioner has never been convicted of a felony and is
23 over the age of eighteen (18) years.

24 31. Petitioner requests that no bond be required, as specified in Article II, Section 2,
25 of the Will.

26 32. The Decedent's Will does not contain any provisions prohibiting administration
27 pursuant to the Independent Administration of Estates Act (NRS 143.300 to 143.815, inclusive).
28 Therefore, Petitioner seeks **full authority** to conduct the independent administration of

1 Decedent's estate pursuant to NRS 143.300 to 143.815. The Petition and the Notice of Hearing
2 contain the appropriate notices in this regard, pursuant to NRS 143.345, and there is no apparent
3 reason why such authority should not be granted.

4 33. Petitioner has agreed with her counsel to pay attorney's fees for legal services on
5 an hourly fee basis using funds outside of the Estate, pursuant to an engagement letter executed
6 by Petitioner.

7 34. On the hearing date noted above, the matter was duly called on the record in open
8 court, and there were no objections or appearances made other than on behalf of Petitioner.

9 WHEREFORE, good cause appearing, and there being no objections, the Court hereby
10 GRANTS the Petition and Orders as follows:

11 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court:

- 12 1. That said Will be admitted to probate as the Last Will and Testament of the Decedent;
13 2. That Letters Testamentary be issued to Petitioner as Executor of said Will, to serve
14 without bond;
15 3. That the Court grants Petitioner full authority to administer the Estate under the
16 Independent Administration of Estates Act; and,
17 4. That upon Petitioner's taking of the oath required by law, that General Administration
18 of the Decedent's Estate is hereby ordered per NRS Chapter 136.

19 DATED this 6 day of December, 2022.

20
21 IT IS SO ORDERED:

22 
23 DISTRICT JUDGE

24
25 Submitted By:
26 INCLINE LAW GROUP, LLP
27 Andrew N. Wolf (#4424)
28 264 Village Blvd., Suite 104
Incline Village, Nevada 89451
(775) 831-3666

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 12-22-22
BOBBIE R. WILLIAMS Clerk of Court
of the State of Nevada, in and for the County of Douglas,

By  Deputy