

APN 013-020-04

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0144077

AMENDED ORDER CONFIRMING FIRST AND FINAL ACCOUNT, REPORT OF PROBATE,
PETITION FOR DISTRIBUTION AND APPLICATION FOR ORDER AUTHORIZING PAYMENT
OF ATTORNEY'S FEES AND COST


Title of Document

Affirmation Statement

X I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does not contain** the social security number, driver's license or identification card number, or any "Personal Information" (as defined by NRS 603A.040) of any person or persons. (Per NRS 239B.030)

_____ I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does contain** the social security number, driver's license or identification card number, or any "Personal Information" (as defined by NRS 603A.040) of a person or persons as required by law:

(State specific law)

 _____
Signature Title Attorney

Dylan V. Frehner, Esq. _____

Print

10/8/2013

Date

Grantees address and mail tax statement:

CAROL L HALL _____

2309 E. STREET _____

SACRAMENTO, CA 05916 _____

Case No.: PR-0404003

2013 OCT -8 PM 4:04

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF LINCOLN

IN THE MATTER OF THE)
ESTATE OF:)
WILLIAM G. SCHOENBERG,)
Deceased.)
_____)

**AMENDED ORDER CONFIRMING FIRST AND FINAL ACCOUNT, REPORT OF
PROBATE, PETITION FOR DISTRIBUTION AND APPLICATION FOR ORDER
AUTHORIZING PAYMENT OF ATTORNEY'S FEES AND COSTS**

The Return Petition of CAROL HALL, Executrix of the Estate of WILLIAM G. SCHOENBERG, deceased, for confirmation of first and final account, Report of Probate, Petition for distribution and Application for Order authorizing payment of attorney's fees and costs hereinafter described, having come on regularly for hearing before this Court on July 14, 2006, the Court after examining the verified Return and Petition and reviewing the evidence, finds as follows:

1. That WILLIAM G. SCHOENBERG died on December 4, 2002, in the City of Sacramento, County of Sacramento, State of California, leaving certain real and personal property located in the State of Nevada, the nature and extent of which is as described in the Inventory, Appraisalment, and Record of Value on file herein;
2. That by Order of this Court, duly made and entered on the 25th day of April, 2003, the Decedent's will was admitted to Probate, CAROL HALL was appointed as Executrix of said Decedent's Estate, and Letters Testamentary were thereafter issued to CAROL HALL, and Petitioner has been since that date, and now is, the duly appointed and qualified Executrix of said Estate;



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3. That Notice to Creditors was duly mailed to each known creditor and published as required by law in the Lincoln County Record, a newspaper of general circulation in the County of Lincoln, State of Nevada, as appears from the Affidavit of Publication on file herein; that more than sixty (60) days have elapsed since the first publication thereof, and the time for presentation of claims against said Estate expired on the 8th day of July, 2003. Several claims have been filed against the Estate, but have been satisfied in their entirety. The Executrix is unaware of any additional claims against the Estate;

That on the 4th of June, 2004, the Petitioner sent the Nevada Welfare Administrator a Notice to Creditors via certified mail, return receipt, and that the date of delivery was the 6th day of June, 2004. The Office of the Nevada Welfare Administrator did not file a claim against the Estate;

4. That said Administrator is chargeable as follows:

INCOME TO ESTATE:

Proceeds from sale of real property	\$0.00
Proceeds from sale of personal property	<u>\$0.00</u>
TOTAL	\$0.00

EXPENSES OF ESTATE:

Expenses Attributed to Executor's Duties	\$4,614.83
Medical Expenses (Last Illness)	\$4,940.11
Household Expenses (Taxes, Utilities, etc.)	<u>\$1,047.24</u>
TOTAL	\$10,602.18

RECAPITULATION

CASH & CASH EQUIVALENTS

Bank of America (Money Market)	\$43,387.44
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ASSETS

Motor Vehicles	\$6,350.00
Real Property (Caliente, Nevada)	\$39,000.00
Miscellaneous personal Property	<u>\$10,000.00</u>
TOTAL ASSETS	98,737.44

EXPENSES OF ESTATE

Expenses Attributed to Executor's Duties	\$4,614.83
Household Expenses (Taxes, Utilities, etc.)	<u>\$1,047.24</u>



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Medical Expenses (Last Illness)	\$4,940.11
<u>LIABILITIES</u> (See Inventory)	\$0.00
TOTAL LIABILITIES	\$10,602.18
<u>BALANCE</u>	<u>\$88,135.26</u>
ALL OTHER ASSETS STILL EXISTING WITH THE ESTATE	\$0.00

5. That Mathew D. Carling, Esq., of the law firm of CARLING & WHIPPLE, PC, attorney for the Executrix has performed services in connection with said Estate for which services Petitioner has agreed to pay from the assets of the Estate a fee of \$3,320.73, and Petitioner requests that she be authorized to pay the same; that said attorney has expended costs of administration as follows: See statement of Charges attached as Exhibit "1" to First and Final Accounting and Report of Probate;

6. That the Executrix has performed services in the administration of this Estate for which she is entitled to fees as fixed by NRS 150.020 in the sum of Three Thousand Seven Hundred Fifty-one and 89/100 Dollars (3,751.89, computed as follows:

<u>Statutory Fee</u>	
Inventory	\$93,797.33
Income Receipts	\$0.00
TOTAL	\$93,797.33
4% of \$15,000.00	\$600.00
3% of \$78,797.33	<u>\$3,151.89</u>
<u>TOTAL statutory Fee</u>	\$3,751.89

7. That all notices and requirements of statute have been duly and regularly had and taken prior to the filing of this account, report and petition for distribution, and said Estate is now in a condition to be finally settled and distributed;

8. That Petitioner informs this court that all liabilities have been paid and there is nothing owing to any creditor known or reasonably known to the Executrix;

9. That pursuant to the Last Will and Testament of the Decedent, the remainder of the Estate is to be distributed to the Decedent's heirs, CAROL LEE HALL and DALE LEE SCHOENBERRG also known as DALE LEE LYNN, in equal shares, as the Decedent's sister, MARGARET CRANE died on March 26, 1987. After consulting with her brother, Petitioner represents that she and her brother request that the Court allow the Petitioner to distribute the remainder of the Estate as follows:



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Beneficiary	Description
Carol Hall	<ol style="list-style-type: none"> 1. ½ undivided interest in certain real property APN #013-020-04, located in Caliente, Nevada as tenant in common with Dale Schoenberg; and further described as: One acre of land, more or less, South of Dow Spring on the West side of the Caliente to Pioche State Highway, and now known as the "COVE", and being in the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of section 28, Township 3 South, Range 67 East, M.D.M. Excepting and reserving a one-half interest in and to all crude oil, petroleum, gas, brea, asphaltum and all kindred substances, and <u>other minerals</u> under and in said land, as reserved in the deed recorded September 18, 1952 in Book "J-1" of Real Estate Deeds, Page 280, Lincoln County, Nevada records. 2. 1968 Ford Ranchero, VIN #8K48F172123; 3. 1978 Chevy El Camino. VIN #1W8018K572656; 4. That portion of the decedent's bottle collection already in her possession; and 5. ½ of the balance of the Decedent's Money Market Account at Bank of America.
Dale Schoenberg	<ol style="list-style-type: none"> 1. ½ undivided interest in certain real property APN #013-020-04, located in Caliente, Nevada as tenant in common with Carol Hall; and further described as: One acre of land, more or less, South of Dow Spring on the West side of the Caliente to Pioche State Highway, and now known as the "COVE", and being in the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of section 28, Township 3 South, Range 67 East, M.D.M. Excepting and reserving a one-half interest in and to all crude oil, petrolcum, gas, brea, asphaltum and all kindred substances, and <u>other minerals</u> under and in said land, as reserved in the deed recorded September 18, 1952 in Book "J-1" of Real Estate Deeds, Page 280, Lincoln County, Nevada records. 2. That portion of the decedent's bottle collection already in his possession; and 3. ½ of the balance of the Decedent's Money Market Account at Bank of America.

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Therefore, and good cause showing:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the foregoing account is approved, confirmed, allowed, and settled.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Executrix is authorized and directed to pay to Mathew D. Carling, Esq., a fee for attorney's fees and expenses in the sum of \$3,320.73.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, pursuant to NRS 150.020, the Executrix is authorized and directed to pay to herself an Administrator fee in the sum of \$3,751.89.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the following property is hereby conveyed to the following beneficiaries as follows:

Beneficiary	Description
Carol Hall	1. ½ undivided interest in certain real property APN #013-020-04, located in Caliente, Nevada as tenant in common with Dale Schoenberg; and further described as: One acre of land, more or less, South of Dow Spring on the West side of the Caliente to Pioche State Highway, and now known as the "COVE", and being in the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of section 28, Township 3 South, Range 67 East, M.D.M. Excepting and reserving a one-half interest in and to all crude oil, petroleum, gas, brea, asphaltum and all kindred substances, and <u>other minerals</u> under and in said land, as reserved in the deed recorded September 18, 1952 in Book "J-1" of Real Estate Deeds, Page 280, Lincoln County, Nevada records. 2. 1968 Ford Rachero, VIN #8K48F172123; 3. 1978 Chevy El Camino, VIN #1W8018K572656; 4. That portion of the decedent's bottle collection already in her possession; and 5. ½ of the balance of the Decedent's Money Market Account at Bank of America.
Dale Schoenberg	1. ½ undivided interest in certain real property located in Caliente, Nevada as tenant in common with Carol Hall; and further described as: One acre of land, more or less, South of Dow Spring on the West side of the Caliente to Pioche State Highway, and now known as the "COVE", and being in the Northwest Quarter (NW ¼) of the Southwest Quarter

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	<p>(SW ¼) of section 28, Township 3 South, Range 67 East, M.D.M. Excepting and reserving a one-half interest in and to all crude oil, petroleum, gas, brea, asphaltum and all kindred substances, and <u>other minerals</u> under and in said land, as reserved in the deed recorded September 18, 1952 in Book "J-1" of Real Estate Deeds, Page 280, Lincoln County, Nevada records.</p> <ol style="list-style-type: none"> 2. That portion of the decedent's bottle collection already in his possession; 3. ½ of the balance of the Decedent's Money Market Account at Bank of America.
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IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the filing of appropriate receipts, Petitioner is discharged from further responsibilities as such Executrix, and that the said Estate will then be closed.

IT IS SO ORDERED this _____ day of _____, 2013.

DISTRICT JUDGE

Submitted By:

Matthew D. Carling
 MATHEW D. CARLING, ESQ.
 Nevada Bar No.: 007302
 P.O. Box 90724
 Henderson, NV 89009-0724
 (702)419-7330
 Attorney for Carol Hall



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	<p>(SW ¼) of section 28, Township 3 South, Range 67 East, M.D.M. Excepting and reserving a one-half interest in and to all crude oil, petroleum, gas, brea, asphaltum and all kindred substances, and <u>other minerals</u> under and in said land, as reserved in the deed recorded September 18, 1952 in Book "J-1" of Real Estate Deeds, Page 280, Lincoln County, Nevada records.</p> <ol style="list-style-type: none"> 2. That portion of the decedent's bottle collection already in his possession; 3. ½ of the balance of the Decedent's Money Market Account at Bank of America.
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IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the filing of appropriate receipts, Petitioner is discharged from further responsibilities as such Executrix, and that the said Estate will then be closed.

IT IS SO ORDERED this 7th day of OCTOBER, 2013.



 DISTRICT JUDGE

Submitted By:


 MATHEW D. CARLING, ESQ.
 Nevada Bar No.: 007302
 P.O. Box 90724
 Henderson, NV 89009-0724
 (702)419-7330
 Attorney for Carol Hall



COPY

The document to which this certificate is attached is a full, true and correct copy of the original, as filed and recorded in the County Clerk's Office, Platte Nevada.

In witness whereof, I have hereunto set my hand and affixed the seal of the
Ninth Judicial District Court in and for the County of Lincoln, State of
Nevada, This 3rd day of October 2013

[Signature]
Clerk

Deputy Clerk