

Official Record

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OSHINS & ASSOCIATES, LLC

Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$20.00

Page 1 of 7

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APN# 03-173-02



0144216

(11 digit Assessor's Parcel Number may be obtained at:
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TITLE OF DOCUMENT
(DO NOT Abbreviate)

Order Settling First and Final Account of the Executor,
Petition for Its Settlement, Payment of Attorney's Fees and
Costs and for Decree of Final Distribution

Document Title on cover page must appear EXACTLY as the first page of the
document to be recorded.

RECORDING REQUESTED BY:

Oshins & Associates, LLC

RETURN TO: Name Oshins & Associates, LLC

Address 1645 Village Center Circle, Ste. 170

City/State/Zip Las Vegas, NV 89134

MAIL TAX STATEMENT TO: (Applicable to documents transferring real property)

Name Louiz Benezet

Address HC 74 Box 150

City/State/Zip Pioche, NV 89043

This page provides additional information required by NRS 111.312 Sections 1-2.

An additional recording fee of \$1.00 will apply.

To print this document properly—do not use page scaling.



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ORDER
Steven J. Oshins, Esq., Bar No. 5732
Heidi C. Freeman, Esq., Bar No. 8458
Kristen E. Simmons, Esq., Bar No. 9187
Oshins & Associates, LLC
1645 Village Center Circle, Suite 170
Las Vegas, NV 89134
(702)341-6000
probate@oshins.com
Attorneys for Petitioner

2013 OCT 17 AM 9:18
LINDA G. ...
[Signature]

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
CORDELIA ANN BENEZÉT,
Deceased

Case No. PR 0909010
**ORDER SETTLING FIRST AND FINAL ACCOUNT
OF THE EXECUTOR, PETITION FOR ITS
SETTLEMENT, PAYMENT OF ATTORNEY'S FEES
AND COSTS AND FOR DECREE OF FINAL
DISTRIBUTION**

The "First and Final Account of the Executor, Petition for Its Settlement, Payment of Attorney's Fees and Costs and for Decree of Final Distribution," that has been filed by Petitioner, JONATHAN EATON, Executor, has been heard and considered at a regular hearing. After considering the petition, the law, and the evidence,

THE COURT HEREBY FINDS THAT:

- A. Due notice of the hearing on the petition was given as required by law.
- B. Notice to creditors has been given and published as required by law. There was one creditor's claims filed within the 60 day creditor period as follows:

1. The LAW OFFICES OF RICHARD R. GUTIERREZ, attorney for R.M. GALICIA, INC. dba PROGRESSIVE MANAGEMENT SYSTEMS, assigner of GROSSMONT HOSPITAL CORPORATION filed a Creditor's Claim against the Estate in the amount of \$29,320.32 (principal \$28,427.75 & interest \$892.57). The creditor authorized to accept \$18,900.00 as payment in full for their claim. The beneficiaries paid the negotiated amount of \$18,900.00 out of their personal funds in order to satisfy said claim. A Satisfaction and Release of

1 Creditor's Claim was filed with this Honorable Court on August 6, 2013.

2 C. The Executor agreed to pay the firm fees on an hourly basis charged at standard
3 hourly rates in effect when the services are rendered, including both attorneys' and paralegals'
4 time. Pursuant to the agreement, attorneys' fees and costs due and owing to Oshins & Associates,
5 LLC (as of August 30, 2013), total \$4,207.82.

6 D. All allegations in the Petition are true.

7 E. The decedent's estate consists of the decedent's separate property.

8 F. The remaining assets of the estate in the possession of the Executor are valued at
9 \$51,012.50. The estate's assets are more particularly described on Exhibit "A," which is
10 attached to this Order and incorporated herein by this reference.

11 G. Pursuant to paragraph FOURTH of the decedent's Last Will and Testament, the
12 residence located at 156 Park Avenue, Caliente, Lincoln County, Nevada, APN 03-173-02, as
13 shown on the Schedule of Distribution which is attached hereto and incorporated herein by this
14 reference as Exhibit "B," should be distributed to the decedent's former husband, LOUIS
15 BENEZÉT.

16 H. Pursuant to paragraph FIFTH of the decedent's Last Will and Testament, the
17 residue of the decedent's estate, as shown on the Schedule of Distribution which is attached
18 hereto and incorporated herein by this reference as Exhibit "B," should be distributed in equal
19 shares to AUDREY GARDNER, formerly known as AUDREY MAGDALEN BENEZÉT, and
20 SAMUEL BENEZÉT, the decedent's children.

21 **IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that:**

22 1. The First and Final Account of the Executor is hereby approved, allowed, and
23 settled, and all actions taken by the Executor in connection with the administration of the Estate,
24 as set forth in the account and petition, are hereby ratified and approved.

25 2. The Executor is hereby authorized and directed to pay \$4,207.82 to OSHINS &
26 ASSOCIATES, LLC as attorneys' fees and costs.

27 3. The Executor is hereby authorized and directed to distribute the real property
28 located at 156 Park Avenue, Caliente, Lincoln County, Nevada, APN 03-173-02, as shown on



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Exhibit "B," to the decedent's former husband, LOUIS BENEZÉT, in accordance with paragraph FOURTH of the decedent's Last Will and Testament.

4. The Executor is hereby authorized and directed to distribute the residue of the decedent's estate, as shown on Exhibit "B," including all assets not now known and subsequently discovered, in equal shares to AUDREY GARDNER, formerly known as AUDREY MAGDALEN BENEZÉT, and SAMUEL BENEZÉT, the decedent's children, in accordance with paragraph FIFTH of the decedent's Last Will and Testament.

5. Upon the filing of the appropriate vouchers or distributees' receipts, the estate shall be closed and the Petitioners and any sureties shall be discharged from further responsibility for this estate.

Dated: October 17th, 2013.

Gary D. Fairman
DISTRICT COURT JUDGE

Submitted by:

Steven J. Oshins
STEVEN J. OSHINS, State Bar No. 5732
1645 Village Center Circle #170
Las Vegas, Nevada 89134



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EXHIBIT "A"
ASSETS ON HAND

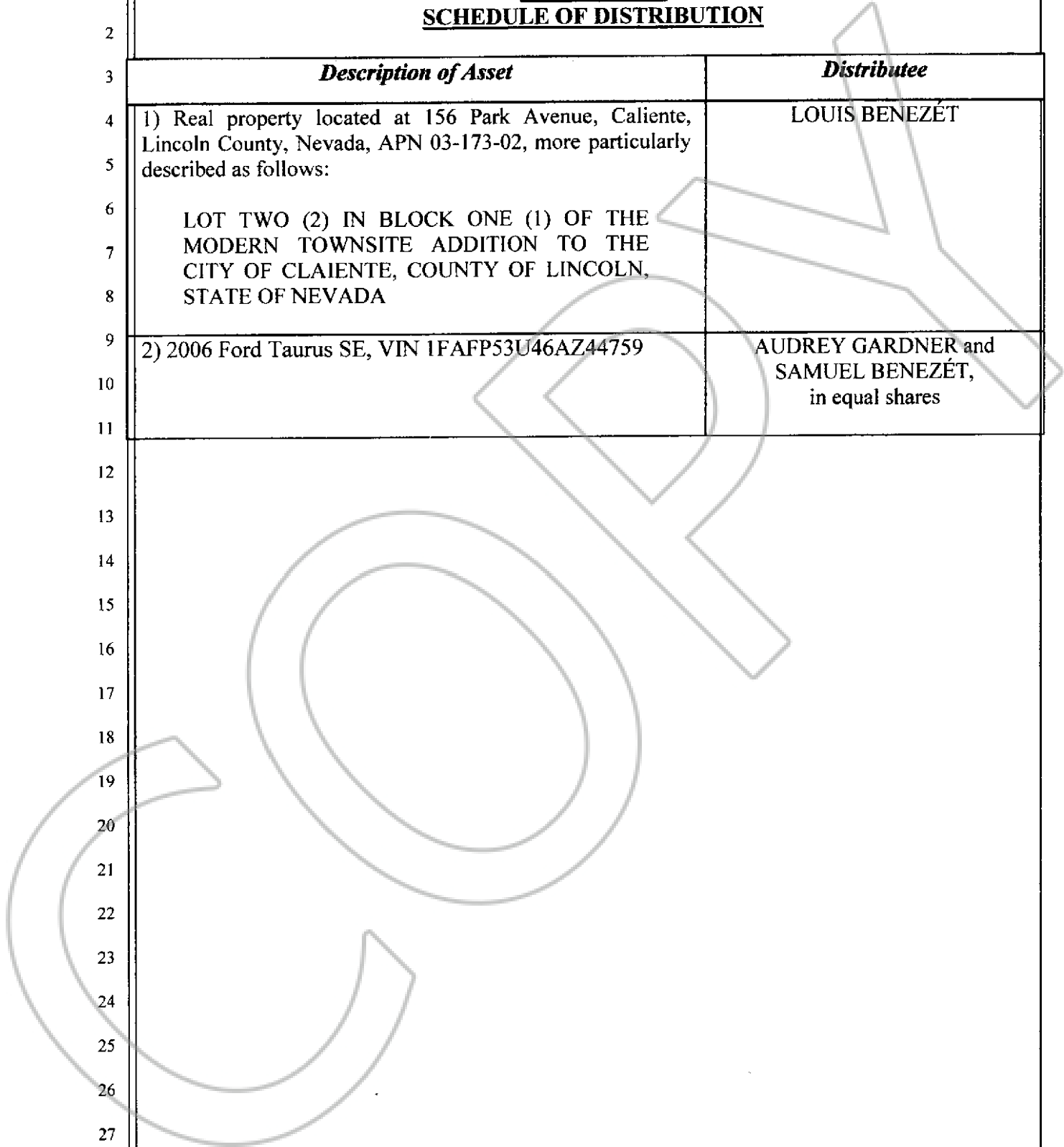
<i>DESCRIPTION OF ASSET</i>	<i>VALUE OF ASSET</i>
1) Real property located at 156 Park Avenue, Caliente, Lincoln County, Nevada, APN 03-173-02, more particularly described as follows: LOT TWO (2) IN BLOCK ONE (1) OF THE MODERN TOWNSITE ADDITION TO THE CITY OF CLAIENTE, COUNTY OF LINCOLN, STATE OF NEVADA	\$ 45,000.00
2) 2006 Ford Taurus SE, VIN 1FAFP53U46AZ44759	6,012.50
Total Value of Assets	\$ 51,012.50



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EXHIBIT "B"
SCHEDULE OF DISTRIBUTION

<i>Description of Asset</i>	<i>Distributee</i>
1) Real property located at 156 Park Avenue, Caliente, Lincoln County, Nevada, APN 03-173-02, more particularly described as follows: LOT TWO (2) IN BLOCK ONE (1) OF THE MODERN TOWNSITE ADDITION TO THE CITY OF CLAIENTE, COUNTY OF LINCOLN, STATE OF NEVADA	LOUIS BENEZÉT
2) 2006 Ford Taurus SE, VIN 1FAFP53U46AZ44759	AUDREY GARDNER and SAMUEL BENEZÉT, in equal shares





COPY

The instrument to which this certificate is attached is a full, true and correct copy of the original, on file and recorded in the County Clerks Office, Piute Nevada.

In witness whereof, I have herunto set my hand and affixed the seal of the Seventh Judicial District Court in and for the County of Lincoln, State of Nevada, This 22nd day of October 2013

[Signature]
Clerk

Deputy Clerk