



OFFICIAL RECORD
AMY ELMER, RECORDER

APN 001-032-07

APN _____

APN _____

NOTICE OF LIEN

Title of Document

Affirmation Statement

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)

/s/ Sabrina Grindle Raetz
Signature Title

Sabrina Grindle Raetz, Deputy Attorney General
Print

8/5/2020
Date

RETURN RECORDED DOCUMENT TO:
Sabrina Grindle Raetz, Deputy Attorney General
555 E. Washington Avenue, Ste. 3900
Las Vegas, NV 89101

NOTICE OF LIEN

TO: Estate of PAUL RUTLEDGE

PLEASE TAKE NOTICE THAT the State of Nevada, Department of Health & Human Services, Division of Health Care Financing and Policy, an agency of the State of Nevada, and Suzanne Bierman, Administrator, whose central office is 1100 East William Street, Suite 109, Carson City, Nevada 89701, by and through its counsel, Aaron D. Ford, Attorney General, and Sabrina Grindle Raetz, Deputy Attorney General, claims a lien pursuant to the provisions of NRS 422.29306 and NRS 422.054 and the VOLUNTARY LIEN AGREEMENT (Exhibit A) upon the property commonly known as 376 Fourth Street, Pioche Nevada 89043 in Lincoln County. The legal description of the real property is:

APN: 001-032-07

ALL THAT REAL PROPERTY SITUATED IN TOWN OF PIOCHE, COUNTY OF LINCOLN, STATE OF NEVADA, BOUNDED AND DESCRIBED AS FOLLOWS:

PARCEL OF LAND SITUATED WITHIN BLOCK 42, OF THE TOWN OF PIOCHE, SEC 22, T.1N., R.67 E., M.D.M., LINCOLN COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH BOUNDARY LINE OF SAID SEC. 22, WHENCE THE N ¼ COR. OF SAID SEC. 22 BEARS N. 89° 53'32" W. A DISTANCE OF 553.93 FEET, SAID POINT BEING DESCRIBED AS THE POINT OF BEGINNING;
THENCE N. 33° 00'21" E. A DISTANCE OF 10.10 FEET;
THENCE S. 62° 40'44" E. A DISTANCE OF 100.49 FEET;
THENCE S. 33° 00'21" W. A DISTANCE OF 75.00 FEET;
THENCE N. 62° 40'44" W. A DISTANCE OF 100.49 FEET;
THENCE N. 33° 00'21" E. A DISTANCE OF 64.90 FEET TO THE POINT OF BEGINNING.

The lien is placed for reimbursement of Medicaid benefits paid on behalf of PAUL RUTLEDGE against a *fifty percent (50%)* interest in the subject property in the amount of *nine thousand one hundred eighty-two dollars and seventy-eight cents (\$9,182.78)* to be paid to Nevada State Division of Health Care Financing and Policy upon sale or transfer of the property.

However, pursuant to State and Federal law, the State may only recover on such a lien at a time when there is no surviving spouse, child(ren) under 21, or blind and/or disabled children of any age, if any. Additionally, the State must release its lien if the surviving spouse, child under 21 or disabled child, if any, seeks to engage in a bona fide sale or financial transaction involving the home. The object of the pending lien action is to secure the State's interest in the property and also allow the survivors to enjoy and benefit from their interest in and use of the property.

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Upon any financial transaction involving the subject property, please contact the State of Nevada, Division of Health Care Financing and Policy, or, the Attorney General's Office.

DATED this 3rd day of August, 2020.

AARON D. FORD
Attorney General

By: /s/ Sabrina Grindle Raetz
SABRINA GRINDLE RAETZ
Deputy Attorney General
Nevada Bar No. 6464
555 E. Washington Ave., #3900
Las Vegas, NV 89101
P: (702) 486-3083
F: (702) 486-3871
Attorneys for State of Nevada,
Division of Health Care Financing
and Policy

Attachment

Re: PAUL RUTLEDGE, deceased

When recorded please return to:
SABRINA GRINDLE RAETZ
Deputy Attorney General
555 East Washington Ave., Suite 3900
Las Vegas, Nevada 89101

COPY

EXHIBIT A

Please contact the Nevada Division of Health Care Financing and Policy or the Nevada Attorney General's office for payoff instructions

VOLUNTARY LIEN AGREEMENT

I, **SHARON RUTLEDGE**, surviving spouse of **PAUL RUTLEDGE**, voluntarily acknowledge and agree with Nevada's Department of Health and Human Services, Division of Health Care Financing and Policy ("DHCFP") as follows:

I have been informed of my right to consult with an attorney regarding this Voluntary Lien Agreement and it is my choice whether to do so. Whether I have made the choice to consult an attorney or not, I acknowledge and understand that I now freely and voluntarily give my consent to the terms of this Voluntary Lien Agreement.

I agree that as of 10/01/2015, **PAUL RUTLEDGE**, received Medicaid benefits from the DHCFP in the amount of **\$9,182.78**.

I agree that at the time of death, **PAUL RUTLEDGE** was the owner of real property. The real property is commonly referred to as **376 FOURTH STREET, PIOCHE NV 89043** and is more particularly described as:

APN# 001-032-07

ALL THAT REAL PROPERTY SITUATED IN TOWN OF PIOCHE, COUNTY OF LINCOLN, STATE OF NEVADA, BOUNDED AND DESCRIBED AS FOLLOWS:

PARCEL OF LAND SITUATED WITHIN BLOCK 42, OF THE TOWN OF PIOCHE, SEC 22, T. 1N., R. 67 E., M.D.M., LINCOLN COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT A POINT ON THE NORTH BOUNDARY LINE OF SAID SEC. 22, WHENCE THE N ¼ COR. OF SAID SEC. 22 BEARS N. 89° 53'31" W. A DISTANCE OF 553.93 FEET, SAID POINT BEING DESCRIBED AS THE POINT OF BEGINNING;
THENCE N. 33° 00'21" E. A DISTANCE OF 10.10 FEET;
THENCE S. 62° 40'44" E. A DISTANCE OF 100.49 FEET;
THENCE S. 33° 00'21" W. A DISTANCE OF 75.00 FEET;
THENCE N. 62° 40'44" W. A DISTANCE OF 100.49 FEET;
THENCE N. 33° 00'21" E. A DISTANCE OF 64.90 FEET TO THE POINT OF BEGGINING**

I agree that **PAUL RUTLEDGE** owned the property in joint tenancy with me, **SHARON RUTLEDGE** and therefore, **PAUL RUTLEDGE** owned a one-half (1/2) interest in the subject real property at the time of death.

I agree that state and federal law (Nevada Revised Statutes 422.29302, 422.29306 and 422.054, and, 42 U.S.C. § 1396p(b)) provide authority for the DHCFP to have a statutory claim against the estate of a deceased Medicaid recipient and to impose a lien against real property or personal property in a Medicaid recipient's estate, including property that was held jointly with others and/or property held in a living trust.

I understand that DHCFP cannot recover Medicaid benefits if the Medicaid recipient has a surviving spouse, a disabled child, or a minor child. NRS 422.29302(2). Should I and/or my legal representative decide to sell the property for fair market value or refinance the property, I understand that DHCFP will release its lien and/or subordinate its lien so that the proceeds of the sale or refinancing can be used to provide for the care and benefit of me.

I agree that the net proceeds from the sale or refinancing of the real property shall not be transferred or gifted to a third party. It is the intention of DHCFP and me that these funds be utilized only for the care and benefit of me.

I agree that if there is no longer a surviving spouse, disabled child and/or a minor child, DHCFP shall be entitled to recover a sum equal to **\$9,182.78** or one-half of the value of the property, whichever amount is less. I understand that the fair market value of the subject property will be determined at the time of the sale of the subject property;

Upon signing this agreement, I, ~~SHARON RUTLEDGE~~, surviving spouse of ~~PAUL RUTLEDGE~~ understand, consent and agree that DHCFP will record a lien totaling **\$9,182.78** against a one-half (1/2) interest in the property located at **376 FOURTH STREET, PIOCHE NV 89043**.

I understand that the recording of this lien does not prevent me from continuing to live at the property. I understand that DHCFP does not foreclose on its liens if there is a surviving spouse, disabled child or minor child. I understand that the lien does not prevent me from selling the home for fair market value, applying for a home equity loan, reverse mortgage or any other bona fide financial transaction concerning the property.

I understand that this lien is not a recovery of benefits and I am under no obligation to repay the Medicaid claim against the Estate of **PAUL RUTLEDGE**.

Sharon Rutledge
SHARON RUTLEDGE

7-15-2020
Date

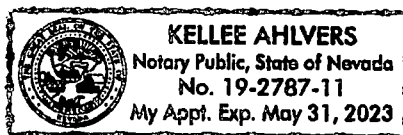
SHARON RUTLEDGE 376 Fourth St Pioche NV 89043
Printed name and address:

State of Nevada,
County of Lincoln

Subscribed and Sworn to before me this

15 day of July, 2020

By: Sharon Rutledge
Kellee Ahlvers
NOTARY



Division of Health Care Financing and Policy Representative

LeShawn Parra
Signature, agent for DHCFF

7/21/2020
Date

LeShawn Parra

1100 E. WILLIAM STREET, SUITE 109, CARSON CITY, NV 89701
State of Nevada,
County of Carson

Subscribed and Sworn to before me this

21st day of July, 20 20

By: LeShawn Parra

Tanya Benitez
NOTARY

