

Mail Recorded Deed and Tax Notice To:
Michael Persinger
2034 East Rocklin Drive
Sandy, UT 84092

12783234
6/1/2018 3:22:00 PM \$35.00
Book - 10680 Pg - 3654-3666
ADAM GARDINER
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 13 P.



File No.: 102901-PCY

PERSONAL REPRESENTATIVE'S DEED

This Deed made by **Mark D. Hashimoto**, as Personal Representative of the Estate of **Kaylene Daley Stonestreet** (who acquired title as **Kaylene Stonestreet** and is known on the attached Death Certificate as **Kaylene Daley Stonestreet**)

GRANTOR(S) of Sandy, State of Utah,

and

Michael Persinger

GRANTEE(S) of Sandy, State of Utah

Whereas, Grantor is the qualified personal representative of said estate as shown in the Letters of Administration or Letters Testamentary, filed as Probate Number 173900951 in Third Judicial District Court of Salt Lake County, Utah:

Therefore, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in **Salt Lake** County, State of Utah:

Lot 219, RIDGE AT LITTLE COTTONWOOD SUBDIVISION PHASE 2, according to the official plat thereof, recorded in the office of the Salt Lake County Recorder.

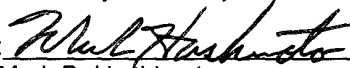
TAX ID NO.: 28-09-280-009 (for reference purposes only)

Together with all improvements and appurtenances restrictions and reservations of record and those enforceable in law and equity.

SUBJECT TO: Property taxes for the year 2018 and thereafter; covenants, conditions, restrictions and easements apparent or of record, all applicable zoning laws and ordinances.

Dated this 1st day of June, 2018.

Estate of Kaylene Daley Stonestreet

BY: 
Mark D. Hashimoto
C.P.A., Personal Representative

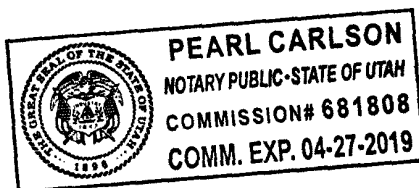
STATE OF UTAH

COUNTY OF SALT LAKE

On the 1st of June, 2018, personally appeared before me Mark D. Hashimoto, Personal Representative of the Estate of Kaylene Stonestreet, the signer(s) of the within instrument, who duly acknowledged to me that they executed the same with authority.



Notary Public



STATE OF UTAH
CERTIFICATION OF VITAL RECORD

CERTIFICATE OF DEATH

BK 10680 PG 3656

State File Number: 2017005336

Kaylene Daley Stonestreet

DECEDENT INFORMATION

Date of Death:	April 8, 2017	Time of Death:	13:30
City of Death:	Sandy	County of Death:	Salt Lake
Age:	52	Date of Birth:	October 10, 1964
Place of Birth:	Salt Lake City, Utah	Sex:	Female
Armed Services:	No	Marital Status:	Divorced
Spouse's Name:		Usual Occupation:	Insurance Executive
Industry/Business:	Insurance	Education:	Some College but No Degree
Residence:	Sandy, Utah	Parent or Father:	Fenton Daley
Parent or Mother:	Veda Carol Taylor	Facility Type:	Home
Facility or Address:	1988 East Rocklin Drive		

INFORMANT INFORMATION

Name:	Jalane Robbins	Relationship:	Sister
Mailing Address:	1774 Laird Avenue, Salt Lake City, Utah 84108		

DISPOSITION INFORMATION

Method of Disposition: Burial
Place of Disposition: Larkin Sunset Gardens, Sandy, Utah
Date of Disposition: April 14, 2017

FUNERAL HOME INFORMATION

Funeral Home: Larkin Sunset Gardens
Address: 1950 East 10600 South, , Sandy, Utah 84092
Funeral Director: Brian L Raabe

MEDICAL CERTIFICATION

Medical Professional: Roy Gandolfi MD, 3725 West 4100 South, West Valley City (Salt Lake), Utah 84120

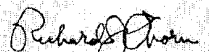
CAUSE OF DEATH

Liver Disease [Onset: 3 Years]
Due to (or as a consequence of): Alcoholism
Tobacco Use: Non-user
Medical Examiner Contacted: Yes Autopsy Performed: No Manner of Death: Natural

Date Registered: May 1, 2017


Date Issued: May 1, 2017

This is an exact reproduction of the facts registered in the Utah State Office of Vital Records and Statistics.
Security features of this official document include: High Resolution Border, V & R images in top cycloids, and microtext.
This document displays the date, seal, and signature of the Utah State Registrar of Vital Records and Statistics.


Richard J. Oborn, MPA
State Registrar
Rev. 1/16



065186037


Gary L. Edwards
Director/Health Officer
County/District Health
Department



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

The Order of the Court is stated below:

Dated: April 02, 2018
02:24:22 PM

/s/ MARK KOURIS
District Court Judge



Langdon T. Owen, Jr. (2494)
J. Scott Brown (6191)
Patrick E. Johnson (10771)
COHNE KINGHORN PC
111 East Broadway, 11th Floor
Salt Lake City, Utah 84111
Telephone: (801) 363-4300
Facsimile: (801) 363-4378
lowen@cohnekinghorn.com
sbrown@cohnekinghorn.com
pjohnson@cohnekinghorn.com

Attorneys for Petitioner Veda Carol Daley

IN THE THIRD JUDICIAL DISTRICT COURT OF SALT LAKE COUNTY, STATE OF UTAH	
IN THE MATTER OF THE ESTATE OF KAYLENE STONESTREET, Deceased.	ORDER APPROVING SETTLEMENT STIPULATION AND APPOINTMENT OF PERSONAL REPRESENTATIVE Case No. 173900951 Judge Mark Kouris

This matter came on for a Judicial Settlement Conference before the Honorable Barry Lawrence, District Court Judge. Petitioner Veda Carol Daley ("**Ms. Daley**") appearing in person and by and through counsel, J. Scott Brown, Esq. and Langdon T. Owen, Jr., Esq., of COHNE KINGHORN. Jalane Robbins ("**Ms. Robbins**") appearing in person and by and through counsel, Kevin N. Anderson, Esq., of FABIAN VANCOTT. Hardeman Lewis Stonestreet, Jr., aka Rocky Stonestreet (collectively, "**Mr. Stonestreet**") appearing in person and by and through counsel, Kevin B. Call, Esq., of

BOND & CALL. The parties having reached and entered into a stipulation (the “**Stipulation**”), which Stipulation was read into the Court record, affirmed by the parties and approved by the Court at the Judicial Settlement Conference. The Court having reviewed the pleadings and documents submitted on file, having heard the stipulations and representations of counsel, having inquired into the legal sufficiency of the evidence so adduced, having made certain findings of fact and conclusions of law on the record, and good cause appearing therefore, it is hereby

ORDERED, ADJUDGED AND DECREED as follows:

1. **Approval of the Stipulation.** That the Stipulation be and hereby is approved, as provided herein below.

2. **The Appointment of the Personal Representative in this Probate Action.** That Mark D. Hashimoto, C.P.A. (“**Mr. Hashimoto**”), be and hereby is appointed as the personal representative for probate estate of Kaylene Daley Stonestreet (“**Kaylene**”) in this Probate Action. Mr. Hashimoto, as personal representative, shall not be required to post a bond in accordance with in UTAH CODE ANN. § 75-3-603.

3. **Duties of Mr. Hashimoto as Personal Representative.** That, in accordance with UTAH CODE ANN. §§ 75-3-701, *et seq.* and related provisions, Mr. Hashimoto be and hereby is awarded the duties and powers of a personal representative, which shall commence upon his appointment by the Court in this Probate Action. Notwithstanding, Mr. Hashimoto’s powers shall relate back in time to 8 April 2017, the date of death of Kaylene. Mr. Hashimoto shall administer the probate estate in accordance with the

terms of this Order, the Last Will and Testament of Kaylene Stonestreet (the "**Will**"), and applicable law, including the provisions of the Utah Uniform Probate Code, UTAH CODE ANN. §§ 75-1-101, *et seq.*

4. **The Personal Representative's Compensation.** That, in accordance with UTAH CODE ANN. § 75-3-718 and related provisions, Mr. Hashimoto shall be entitled to reasonable compensation for his services based upon his customary hourly rate, which is \$325 per hour. To the extent he deems necessary and appropriate, Mr. Hashimoto may employ others at his firm, Piercy, Bowler, Taylor & Kern ("**PBTK**"), to perform services in connection with the probate estate. PBTK shall be entitled to reasonable compensation for its services based upon its customary hourly rates, which range from \$120 to \$180 per hour. In addition, in accordance with UTAH CODE ANN. § 75-3-719 and related provisions, Mr. Hashimoto and/or PBTK shall be entitled to reimbursement for all necessary expenses and disbursement incurred in connection with the probate estate. The hourly compensation and reimbursement of expenses shall be reimbursed in the manner set forth in UTAH CODE ANN. § 75-3-718 through 720 and related provisions. Notwithstanding, the foregoing is reasonable compensation Mr. Hashimoto, for his services as personal representative, as provided for in UTAH CODE ANN. § 75-3-718 through 720 and related provisions.

5. **Creditor's Claims.** That Mr. Hashimoto be and hereby is awarded all rights, powers and authorities to process creditor's claims against the probate estate in accordance with UTAH CODE ANN. §§ 75-3-801, *et seq.* and related provisions. Mr.

Hashimoto shall publish notice to creditors thereby notifying creditors to present their claims. Mr. Hashimoto shall assess, classify and determine whether such claims are allowed or disallowed. The claims by Ms. Daley and Ms. Robbins for the amounts that they have paid for the funeral expenses and paid to maintain the probate estate and any related expenses that pertain to Kaylene and Kaylene's death shall be classified as allowed claims. The claims by Mr. Stonestreet for the amounts that he has paid to maintain the probate estate and any related expenses that pertain to Kaylene and Kaylene's death shall be classified as allowed claims. Mr. Hashimoto shall pay the allowed claims in accordance with UTAH CODE ANN. §§ 75-3-801, *et seq.* and related provisions.

6. **Attorneys' Fees and Costs.** That any claims by Ms. Daley, Ms. Robbins and Mr. Stonestreet for their respective attorneys' fees and costs incurred as a result of Kaylene's death, this Probate Action and the Conservatorship Action¹ shall be reserved and be approved by the Court in this Probate Action. Once approved by the Court, such attorneys' fees and costs shall be classified as allowed claims and shall be paid by Mr. Hashimoto in accordance with UTAH CODE ANN. §§ 75-3-801, *et seq.* and related provisions.

7. **The Minor Children's Inspection of the Residence.** That during Kaylene's and Mr. Stonestreet's marriage, there were two children born as issue of the parties'

¹ The Conservatorship Action is defined as the action styled *In the Matter of the Conservatorship of S.L.S. and S.L.S.*, which Conservatorship Action is pending in the Third Judicial District Court in and for Salt Lake County, State of Utah, as Civil No. 173901386 (the "**Conservatorship Action**").

marriage, to wit: SLS, a son born on 1 August 2001; and, SLS, a son born on 10 March 2004 (collectively, the “**Minor Children**”). That the Minor Children be and hereby are awarded the right to inspect Kaylene’s residence and remove any and all of their personal effects and belongings, together with any item that they wish to be devised. The Minor Children’s inspection shall be supervised by Mr. Hashimoto only. Any of Kaylene’s items that the Minor Children wish to remove and receive, shall be credited to their respective portions of the probate estate.

8. **Inventory and Related Accounting Information.** That within ninety (90) days of his appointment, Mr. Hashimoto shall prepare, file, and serve his inventory and related accounting information in accordance with UTAH CODE ANN. §§ 75-3-701, *et seq.* and related provisions. In addition, Mr. Hashimoto shall prepare regular monthly status reports, which shall be sent to Ms. Daley, Ms. Robbins, Mr. Stonestreet, and their respective attorneys.

9. **Distribution and Closing this Probate Action.** That Mr. Hashimoto be and hereby is ordered to administer and distribute the probate estate in accordance with this order, the Will and UTAH CODE ANN. §§ 75-3-101, *et seq.* and related provisions. After which, Mr. Hashimoto shall close the probate estate in accordance with UTAH CODE ANN. §§ 75-3-1001, *et seq.* and related provisions.

10. **The Headstone.** That Ms. Daley and Ms. Robbins have paid for the funeral and related expenses for Kaylene’s funeral, the amounts of which shall be reimbursed by Mr. Hashimoto as part of their allowed claims as provide hereinabove.

Notwithstanding, Ms. Daley and Ms. Robbins have not selected and have not paid for a headstone for Kaylene's gravesite. Ms. Daley shall select, at her sole discretion, a headstone for Kaylene's gravesite. The probate estate shall pay directly, or reimburse Ms. Daley and/or Ms. Robbins, for the cost of the headstone and related costs in the sum not to exceed \$5,000.

11. **Waiver of Allowances and Other Death Benefits.** That, based upon the terms and provisions of the Stipulation, effective immediately, any and all rights and claims of every kind, nature and description (other than those provided or continued under the terms of the Will or this Order) that the Minor Children may acquire as Kaylene's surviving children in her decedent's estate under the laws of Utah or of any other state or jurisdiction, be and hereby are waived, released and forever discharged, specifically including (but not by way of limitation) the following: (i) any rights in intestacy and (ii) any rights to any homestead allowance, exempt property, or family allowance.

12. **The Appointment of the Trustee of the Trust.** That pursuant to the Trust² and the Decree of Divorce,³ Mr. Stonestreet shall be appointed as the "Trustee" of the Trust. Mr. Stonestreet shall have all of the rights, powers and authorities provided in the Trust, except as otherwise provided in this Order.

13. **Partial Distribution of Trust Assets.** That in the event that there is an

² The Trust is defined as the Stonestreet Family Trust (the "Trust"), which Trust is dated the same date as the Will.

³ On or about 13 June 2012, the Court entered its Decree of Divorce (the "**Decree of Divorce**") thereby terminating Kaylene's and Mr. Stonestreet' marriage to each other in that divorce action styled *Kaylene Stonestreet v. Hardemen L. Stonestreet, Jr.*, which divorce action was pending in the Third Judicial District Court in and for Salt Lake County, State of Utah, as Civil No. 114904065.

extraordinary and/or emergency expense that requires a partial distribution of the income, principal and/or assets of the trust estate prior to the Minor Children reaching the age of twenty-five (25), then Mr. Stonestreet shall file the appropriate notice in this Probate Action or another court of competent jurisdiction, to approve such proposed partial distribution. In addition to whatever notice may be required by the Probate Code or by the Court, Mr. Stonestreet shall provide Ms. Daley, Ms. Robbins and their respective attorneys, with the notice of such proposed distribution, which would allow them the ability to serve a motion and/or objection and the opportunity to be heard on such motion and/or objection. That any and all education and related expenses (such as tuition, books, housing, application fees, school fees and any other similar type expenses) shall not be considered an extraordinary and/or emergency expense, except for or in the event that the Minor Child's respective 529 Plan, money from the Conservatorship and/or any federal grants are not sufficient to cover their respective college education, then such uncovered portion of the education and related expenses may be paid by the income, principal and/or assets of the trust estate.

14. **No Compensation.** That, contrary to the terms and provisions of Section 10 of the Trust, Mr. Stonestreet, as Trustee, shall not receive or otherwise be paid compensation for his services as Trustee under the Trust. In addition, Mr. Stonestreet, as Trustee or individually, shall not receive, be reimbursed, or otherwise be paid for any and all costs and expenses incurred by him, as Trustee or individually, or incurred for the benefit of the Minor Children.

15. **Successor Trustees(s).** That, contrary to the terms and provisions of Section 11 of the Trust, Teresa Eubank shall not serve as the "successor trustee" under the Trust. Rather, should Mr. Stonestreet become unable or unwilling to so serve as Trustee under the Trust, the parties shall seek the appointment of a "successor trustee(s)" in accordance with the Trust or as otherwise provided by law. The successor trustee(s) shall have all of the rights, powers and authorities provided in the Trust, except as otherwise provided in this Order.

16. **Inventory and Related Accounting Information – The Trust.** That Mr. Stonestreet shall prepare and serve an inventory, status report and related accounting information pertaining to the income, principal and/or assets of the trust estate, which shall be sent and delivered to Ms. Daley, Ms. Robbins and their attorneys. This initial report shall be prepared and delivered within sixty (60) days from the distribution of funds from the Probate Estate to the Trust and every eighteen (18) months thereafter until both Minor Children reach the age of twenty-five (25).

17. **One-Time Lump Sum Distribution.** That, based upon the provisions of the Stipulation, Mr. Stonestreet shall be paid the sum of \$56,000 from the probate estate. This one-time lump sum distribution represents the present value of the child support obligation that Kaylene may owe to Mr. Stonestreet. To the extent necessary, Mr. Stonestreet shall be solely responsible for any and all income taxes he incurs as a result of this one-time lump sum distribution. That any and all claims, demands and/or rights for the payment of or reimbursement for any and all the costs, expenses or other

liabilities incurred, directly or indirectly, for the care and wellbeing of the Minor Children and/or otherwise pertaining to the Minor Children by Mr. Stonestreet be and hereby are waived, released and forever discharged by and for the probate estate, the Trust and the Conservatorship.

18. **Conflicts with the Will and/or the Trust.** In the event of any conflict between this Order and the Will and/or the Trust, the terms and provisions of this Order shall control. To the extent this Order varies from otherwise applicable law, the terms and provisions of this Order shall govern unless the variance is expressly forbidden by applicable law.

****ENTERED BY THE COURT ON THE DATE AND AS INDICATED
BY THE COURT'S SEAL AT THE TOP OF THE FIRST PAGE****

Approved as to form:

BOND & CALL

By: /s/ Kevin B. Call
Kevin B. Call

Signed by J. Scott Brown
With permission of Kevin B. Call

FABIAN VANCOTT

By: /s/ Kevin N. Anderson
Kevin N. Anderson

Signed by J. Scott Brown
With permission of Kevin N. Anderson

CERTIFICATE OF SERVICE

The undersigned certifies that on this 29th day of March 2018, a true and correct copy of the foregoing proposed **ORDER APPROVING SETTLEMENT STIPULATION AND APPOINTMENT OF PERSONAL REPRESENTATIVE** was served via the Court's electronic filing notification system upon the following:

Kevin B. Call
BOND & CALL
8 East Broadway, Ste. 72C
Salt Lake City, UT 84111

/s/ J. Scott Brown

[55487.01]