

WHEN RECORDED MAIL TO:
Sheerin Walsh and Keele
1692 County Road
Minden, Nv. 89423

FILED

97070395

1 Case No. 96-PB-0109

2 Dept. No. I

97 JUN 11 10 38

D. DALEY

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

8
9 In the Matter of the Guardianship
10 of the Estate of

11 OF
12 ROBERTO ORTEGA-CARTER,
13 A minor.

AMENDED ORDER CONFIRMING
PURCHASE OF INTEREST
IN REAL PROPERTY

14 This matter comes before the above-entitled Court on the Ex
15 Parte Motion of George M. Keele, Stephan Hamilton and Candy
16 Hamilton for Amended Order. It appearing to the Court, after
17 examining the Ex Parte Motion, and after hearing the evidence,
18 that

19 1. Due notice of the hearing of such Petition was given as
20 required by law and that all of the allegations of the petition
21 are true;

22 2. By Order dated April 10, 1997, this Court authorized and
23 directed the Guardian herein, as a co-buyer, to proceed with the
24 purchase of a single-family home and to utilize \$50,000 of the
25 ward's estate as the down payment thereon;

26 3. The proposed purchase price is not disproportionate to
27 the value of the property purchased;

28 Sheerin, Walsh
& Keele
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Minden, NV 89423
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1 4. The proposed buyers, Stephen Hamilton and Candy
2 Hamilton, husband and wife as to an undivided fractional interest,
3 and George M. Keele, as guardian of the estate of Roberto Ortega-
4 Carter as to the remaining undivided fractional interest, together
5 will be required to pay half the escrow costs at the time of
6 closing of escrow;

7 5. The proposed purchase may not have been approved by the
8 Seller but for the willingness of Candy and Stephen Hamilton to
9 forego their demands for a \$142,000 purchase price for \$2,000 in
10 deferred maintenance funds, and for a refrigerator worth
11 approximately \$800 to be provided by the Seller as a portion of
12 the Seller's consideration in this transaction; and

13 6. The compromise purchase price of \$143,000 and the
14 willingness of the Guardian to seek Court approval of disbursing
15 to Candy and Stephen Hamilton the sum of \$2,800 for the purposes
16 set forth hereinafter were in the best interests of both the ward
17 and the ward's estate.

18 NOW, THEREFORE, IT IS HEREBY ORDERED:

19 A. That the purchase so made of the interest in real
20 property commonly known as 1377 Mary Jo, Gardnerville, Douglas
21 County, Nevada 89410, more particularly described as follows, to-
22 wit:

23 Lot 243, as shown on the map of GARDNERVILLE RANCHOS UNIT
24 NO. 7, filed for record in the office of the County
25 Recorder of Douglas County, Nevada, on March 27, 1974, as
26 Document No. 72456.

27 Assessor's Parcel No. 29-332-06

28 from Joseph J. Heinan and Karen L. Heinan for the total price
29 offered of ONE HUNDRED FORTY-THREE THOUSAND DOLLARS (\$143,000),

1 with the guardianship estate being responsible for the down
2 payment and with Candy and Stephen Hamilton being responsible for
3 all monthly payments and with the guardianship estate and the
4 Hamiltons bearing their proportionate share of all escrow fees,
5 closing costs, taxes, insurance and maintenance costs, be and the
6 same is hereby confirmed.

7 B. That GEORGE M. KEELE, Guardian of the estate of Roberto
8 Ortega-Carter, a minor, is hereby authorized and directed to
9 withdraw the sum of FIFTY THOUSAND DOLLARS (\$50,000) from the
10 ward's estate account, with such funds to be used collectively as
11 earnest money deposit and as the down payment on the purchase of
12 the subject real property.

13 C. That GEORGE M. KEELE, as Guardian of the estate of
14 Roberto Ortega-Carter, a minor, is hereby authorized and directed
15 to take title to the subject parcel as a tenant in common holding
16 an undivided 34.97% interest in the referenced parcel, with
17 Stephen and Candy Hamilton, the ward's stepfather and mother,
18 holding the remaining 65.03% interest. That, in order to
19 accomplish this vesting, GEORGE M. KEELE, as Guardian of the
20 estate of Roberto Ortega-Carter, a minor, is hereby authorized and
21 directed to execute escrow instructions which show that Stephen
22 Hamilton and Candy Hamilton, husband and wife, may first take
23 title to the above-referenced parcel of real property (Douglas
24 County Assessor's Parcel No. 29-332-06; 1377 Mary Jo Drive,
25 Gardnerville, Nevada 89410) as husband and wife as their community
26 property with right of survivorship; that Stephen Hamilton and
27 Candy Hamilton, husband and wife, shall thereafter execute a deed

1 of trust to be recorded in first position on the subject parcel of
2 real property wherein Stephen and Candy Hamilton are trustors,
3 Stewart Title is trustee, and Weyerhauser Mortgage Corporation is
4 beneficiary; that Stephen Hamilton and Candy Hamilton, husband and
5 wife as community property with right of survivorship, shall
6 thereafter record, as the next document, in order a grant, bargain
7 and sale deed wherein Stephen Hamilton and Candy Hamilton, husband
8 and wife, convey all right, title and interest in the above-
9 described parcel of real property to "Stephen Hamilton and Candy
10 Hamilton, husband and wife as community property with right of
11 survivorship as to an undivided 65.03% interest and George M.
12 Keele, as guardian of the estate of Roberto Ortega-Carter, a
13 minor, as to an undivided 34.97% interest, all as tenants in
14 common"; and that George M. Keele, as guardian of the estate of
15 Roberto Ortega-Carter, a minor, is hereby authorized and directed
16 to obtain title insurance from Stewart Title which will insure
17 title as immediately hereinabove set forth.

18 D. That GEORGE M. KEELE, as Guardian of the estate of
19 Roberto Ortega-Carter, a minor, is hereby authorized and directed
20 to execute any and all appropriate documents on behalf of the ward
21 to be delivered through escrow, to complete the purchase of
22 interest in real property as described herein.

23 E. That, pursuant to NRS 159.169(1)(c), GEORGE M. KEELE, as
24 Guardian of the estate of Roberto Ortega-Carter, a minor, is
25 further authorized and directed to withdraw the sum of TWO
26 THOUSAND EIGHT HUNDRED DOLLARS (\$2,800) from the ward's estate
27 account and to deliver the same to Stephen and Candy Hamilton for

1 the following uses: (1) moving expenses (including food, fuel,
2 boxes, hired help, transportation-related items, and the like);
3 (2) purchase of a refrigerator or refrigerator/freezer for the
4 home being purchased; and (3) to perform such deferred maintenance
5 upon the home being purchased and to purchase such initial
6 commodities and supplies as may be necessary or appropriate to
7 establishing a new household and to file herein within six months,
8 receipts for such disbursements.

9 F. Except as changed herein, the original Order entered May
10 20, 1997, shall remain unchanged and in full force and effect.

11 DONE IN OPEN COURT this 11 day of June, 1997.

David R. Brantley

DISTRICT JUDGE

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

REQUESTED BY
Stewart Title of Douglas County
IN OFFICIAL RECORDS OF
DOUGLAS COUNTY, NEVADA

DATE: 6/11/97
Seal of the 8th Judicial District Court
of the State of Nevada, in and for the County of Douglas

SEAL

'97 JUN 13 P4:01

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By *D. Daley* 5 Deputy

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LINDA SLATER
RECORDER
\$ 11.00 PAID k2 DEPUTY