

1 CASE NO. 97-PB-0128

2 DEPT. NO. II

3 98080282

FILED

NO

MAR 02 1998
DISTRICT COURT

'98 MAR 23 P3:02

D. DALEY

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

8 IN THE MATTER OF THE ESTATE

ORDER APPROVING PETITION FOR
CONFIRMATION FOR SALE OF REAL
PROPERTY AND PAYMENT OF COSTS

9 -of-

10 KENNETH BENELL DONNELLY,

11 Deceased.

12 This matter as brought on before the Court on the 23rd day
13 of March, 1998, on the Petition of DEANNE PHILLIPS and WILLIAM
14 FITZMORRIS, Co-Administrators of the Estate of KENNETH BENELL
15 DONNELLY, Deceased, for confirmation of sale and for payment of
16 costs associated with said sale. Present in Court was counsel for
17 the Co-Administrators and the Estate, MICHAEL SMILEY ROWE, ESQ.
18 Based upon the Petition for Confirmation of Sale of Real Property
19 and for Payment of Costs, together with all the pleadings on file
20 herein, and good cause appearing, the Court issues its Order
21 approving the Petition for Confirmation of Sale of Real Property
22 and for Payment of Costs of sale as follows:

23 1. The Petition of the Co-Administrator came on for hearing
24 on the 23rd day of March, 1998. Proof was made to the
25 satisfaction of the Court that notice of said hearing had been
26 given as required by law, and that persons entitled to notice have
27 been notified of the Petition. No one was present at the hearing
28 to protest the request of the Co-Administrators as contained in

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1 the Petition, or to present a bid exceeding the offer approved by
2 \$5,000.

3 2. The Court hereby confirms the sale of the property
4 commonly known as 2192 Mel Drive, Gardnerville, Nevada, also known
5 as APN 35-282-08, and the Court finds that the sale was legally
6 made and fairly conducted.

7 3. The Court finds that said property was valued within one
8 year prior to its sale, and that the sum offered represented the
9 fair market value of the property sold.

10 4. The Court finds that the sale's price is not
11 disproportionate to the value of the property sold, and it does
12 not appear that a sum exceeding such sale price by at least \$5,000
13 may be obtained.

14 5. The Court finds that the private sale conducted by the
15 Co-Administrators was properly noticed as to day, time and place
16 of sale where bids or offers would be received, and the Co-
17 Administrators have properly published the notice of the sale for
18 two weeks, being three publications, before the day of the sale.

19 **IT IS THEREFORE ORDERED** that the sale so made of the real
20 property as described in the Petition and in this Order to Holly
21 Hayes and Richard Whipple for the sum of \$132,500 cash, to be paid
22 in accordance with the offer and acceptance, be, and the same is
23 hereby approved and **CONFIRMED**.

24 **IT IS FURTHER ORDERED** that the costs of sale, including
25 commissions, to be paid by the Co-Administrators be, and the same
26 are hereby approved and, **CONFIRMED**.

27 **BE IT FURTHER ORDERED** that the Co-Administrators are directed
28 to execute such conveyances or instruments as are necessary to

1 convey title to said property to Holly Hayes and Richard Whipple
2 upon the close of escrow and the payment to the Estate of the
3 purchase price of \$132,500.00.

4 Dated this 23rd day of March 1998. *[Signature]*

5
6 MICHAEL P. GIBBONS
DISTRICT COURT JUDGE

7
8 MICHAEL SMILEY ROWE, ESQ.
9 Nevada State Bar No. 1374
10 1638 Esmeralda
11 Post Office Box 2080
12 Minden, Nevada 89423
13 (702) 782-8141
14 Attorney for The
15 Co-Administrators and for
16 the Estate

17 When Recorded:
18 C/o Stewart Title
19 1650 N. Kucera
20 Minden NV 89423

21
22
23 **CERTIFIED COPY**

24 The document to which this certificate is attached is a
25 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 CO., NEVADA

26 DATE 3/27/98
[Signature] Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

'98 MAR 27 P4:33

By *[Signature]* Deputy

LINDA SLATER
RECORDER
0436042
PAID KD DEPUTY

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