

99071704  
APN 19-410,04;  
19-300-86,188, 89, 90

WHEN RECORDED MAIL TO:  
MICHAEL EVANS  
1101 W. Moana Ln. #2  
Reno, NV 89509

FILED

NO \_\_\_\_\_

1 Case No. P 29343  
2 Department No. 1

'99 OCT 12 P1:58

BARBARA REED  
CLERK  
BY B. WILLIAMS DEPUTY

RECEIVED  
OCT 12 1999  
DOUGLAS COUNTY  
DISTRICT COURT CLERK

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

9 \*\*\*\*\*

10  
11 IN THE MATTER OF THE ESTATE

12 of

13 ELFREDA AUGUSTA GARDNER,

14 Deceased.  
15 \_\_\_\_\_ /

**ORDER CONFIRMING  
PRIVATE SALE OF  
REAL PROPERTY**

16 The verified Return of Sale and Petition for Confirmation of Private Sale of Real  
17 Property of Michael Evans, Administrator, C.T.A. of the Estate of Elfreda Augusta Gardner,  
18 Deceased, for the confirmation of the bulk sale of six parcels of real property aggregating  
19 approximately 215 acres of unimproved real property located in the Carson Valley, Douglas  
20 County, Nevada, came on regularly for hearing this day.

21  
22 The sale for which confirmation was requested is to Robert Shockey. The sales  
23 price for the real property is One Million, Five Hundred Thousand Dollars (\$1,500,000), all  
24 of which is to be payable in cash at the close of escrow. In attendance were Michael  
25 Evans, Administrator, C.T.A. and his general legal counsel, G. Barton Mowry, Esq. of the  
26

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1 law firm of Walther, Key, Maupin, Oats, Cox & LeGoy. No person submitted any written  
2 objections to the confirmation nor appeared to object to the confirmation of the sale. At the  
3 hearing, no person submitted any bids.  
4

5 On proof duly made to the satisfaction of the Court, the Court now finds the  
6 following:

7 1. Notice of the hearing was given as required by law. An Affidavit of Mailing  
8 was previously filed with the Clerk of the Court.  
9

10 2. A Notice of Hearing [Return of Sale and Petition for Confirmation of Private  
11 Sale of Real Property] was published in the manner required by Nevada law. An Affidavit  
12 of Publication was also previously filed with the Court.

13 3. The real property sold to Mr. Shockey is Douglas County, Nevada assessor's  
14 parcel numbers 19-300-86, 19-300-87, 19-300-88, 19-300-89, 19-300-90, and 19-410-04.  
15 The legal description of the real property is set forth on Exhibit A included herein, and  
16 includes all tenements, hereditaments, and appurtenances of the real property, including  
17 all appurtenant water rights.  
18

19 4. The real property was recently appraised by Lee B. Smith, MAI. Mr. Smith  
20 appraised each of the six individual properties at an aggregate value of One Million, Six  
21 Hundred Sixty-Five Thousand Dollars (\$1,665,000) and with a bulk sale value of One  
22 Million, Five Hundred Thousand Dollars (\$1,500,000). Each of these values is as of  
23 September 4, 1999. All six parcels have been continuously listed for sale from early 1998  
24 to the present. No offers have been received by the Administrator, C.T.A. for any of the  
25 parcels which comply with Section 148.200 of the Nevada Revised Statutes. Bids on such  
26

1 property were also solicited via publication of the Notice of Hearing, and no other offers  
2 have been received by the Administrator, C.T.A. Based upon this, the sales price of  
3 \$1,500,000 is considered to be the fair market value of the real property.  
4

5 5. The Administrator, C.T.A. entered into an Exclusive Rights Listing Agreement  
6 with Century 21 Clark Properties obligating the Administrator to pay a brokerage  
7 commission in the amount of eight percent (8%) to Century 21 Clark Properties, to be split  
8 equally between the listing broker and the cooperating broker, both of whom are affiliated  
9 with Century 21 Clark Properties. The amount of the commission payable is within the  
10 limitations prescribed by Section 148.110(3)(b) of the Nevada Revised Statutes.  
11

12 Based upon the foregoing, the Court hereby orders the following:

13 A. The sale to Robert Shockey in the amount of One Million, Five Hundred  
14 Thousand Dollars (\$1,500,000), all payable in cash, is confirmed and approved.  
15

16 B. The Administrator, C.T.A. is ordered to complete the sale in accordance with  
17 the terms described herein and the additional terms described in the Land Purchase  
18 Agreement and Addendum Nos. One and Two, copies of which are attached to the Return  
19 of Sale as Exhibit B.  
20

21 C. Upon the close of escrow for the sale, the Administrator, C.T.A. is authorized  
22 to pay a brokerage commission in the amount of eight percent (8%) to the listing and  
23 cooperating broker pursuant to the Exclusive Rights Listing Agreement.  
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D. Upon the close of escrow for the sale, the Administrator, C.T.A. shall deliver to the buyer a deed pursuant to Section 148.280 of the Nevada Revised Statutes conveying all of the right, title, and interest of the estate in the real property.

Dated this 12th day of October, 1999.

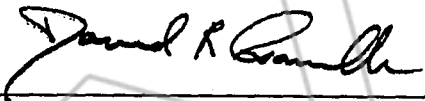
  
\_\_\_\_\_  
David R. Gamble, District Judge

EXHIBIT "A"

LEGAL DESCRIPTION

ESCROW NO.: 99071704

Parcel 4, as shown on the map of FAYE CANYON ESTATES, according to the map thereof, recorded January 13, 1989, Book 189, Page 1591, Document No. 194374, Official Records of Douglas County, Nevada.

Assessors Parcel No. 19-410-04

AND

Parcels 1, 2, 3, 4, & 5, as set forth on that certain map of Division into Large Parcels #98-027 for Mike Evans, Administrator CTA of the State of Elfreda Augusta Gardner filed for record in the Office of the County Recorder of Douglas County, State of Nevada, August 18, 1998 in Book 898, Page 3582, as Document NO. 447289.

Assessor's Parcel No's. 19-300-86  
19-300-87  
19-300-88  
19-300-89  
19-300-90

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.

SEAL

DATE: October 12, 1999  
B. Seed Clerk of the 9th Judicial District Court  
of the State of Nevada, In and for the County of Douglas,

By: [Signature] Deputy

BK 1199PG1640

0480372

REQUESTED BY  
STEWART TITLE OF DOUGLAS COUNTY  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

1999 NOV -9 AM 11: 23

LINDA SLATER  
RECORDER

\$1100 PAID [Signature] DEPUTY