

FILED

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'01 FEB 13 P3:16

1 CASE NO. P-30333

2 DEPT. NO. I

RECEIVED

FEB 13 2001

DOUGLAS COUNTY
DISTRICT COURT CLERK

BARBARA REED
CLERK

B. WILLIAMS
DEPUTY

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF DOUGLAS

9 In the Matter of the Estate

11 of

13 MIKE MOORE,

15 Deceased

**ORDER AUTHORIZING SALE AND
CONFIRMATION OF SALE OF
UNIMPROVED REALTY; AWARDING REAL
ESTATE COMMISSION; GRANTING
REQUEST FOR ATTORNEY'S FEES AND
COSTS; GRANTING REIMBURSEMENT OF
PREPAID EXPENSES BY HURDER TRUST,
TO MIKE MOORE ESTATE; AND
PROVIDING FOR OTHER MATTERS
PROPERLY RELATING THERETO**

17 _____ /
18 The Petition for Authority to Sell and Return For Confirmation of Sale of Unimproved
19 Realty; Approving Real Estate Commission; Granting Request For Attorney's Fees and Costs;
20 Granting Reimbursement of Prepaid Expenses by Hurder Trust to Mike Moore Estate; and
21 Providing For Other Matters Properly Relating Thereto, for the Estate of Mike Moore, Deceased,
22 filed by Richard B. Moore, Executor, coming on regularly to be heard at this time, and it
23 appearing to the satisfaction of the Court that said Petition was filed with said Court on January
24 12th, 2001, and that Tuesday, the 13th day of February, 2001, at 1:30 p.m., was fixed as the time
25 for the settling and hearing thereof; and, that it further appearing to the satisfaction of the Court
26 that valid notice of the time and place of hearing was given to all persons entitled to such notice
27
28

LAW OFFICES
NOEL MANOUKIAN, LTD.
1466 HWY. 395
GARDNERVILLE, NEVADA 89410
(775) 782-9747 OR 883-3299

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BK0401PG3667

1 as required by law, including by mail, and newspaper publication, and no person appearing to
2 except to or contest said Petition, the Court finds that all of the statements in said Petition are true
3 and correct, including that the proposed sale's price for the referenced improved realty is within
4 market value, and is fair and just, and is for the benefit of this Estate. This Court also finds that
5 the other half owner of the subject parcel has signed a written authorization, of record in this
6 proceeding, that it will consent to a sale of the within parcel, provided that the gross sale's price is
7 at least One Hundred and Thirty Thousand Dollars (\$130,000.00). Robert and Heidi Hawes who
8 have the pending \$120,000.00 offer and who are before this Court, have agreed to increase their
9 cash offer to the sum of \$130,000.00.

10
11
12 IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Petition For
13 Authority to Sell And Return For Confirmation of Sale Of Unimproved Realty; Approving Real
14 Estate Commission; Granting Request For Attorney's Fees and Costs; Granting Reimbursement
15 of Prepaid Expenses By Hurder Trust, to Mike Moore Estate; and Providing For Other Matters
16 Properly Relating Thereto, be allowed, approved, and is in all other respects confirmed.

17
18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

19 1. The Court specifically finds that the price of One Hundred and Twenty Thousand Dollars
20 (\$120,000.00) is a fair market value for the substantially unimproved realty, 6.6 acres, more or
21 less, commonly known as 3508 Topaz Park Road, Douglas County, Nevada, being APN# 39-
22 200-010, being Parcel 4, Portion of Section 29, T10N, R22E, MDB&M, and that it would be in
23 the best interest of the Mike Moore Estate to sell its interest in said realty for said price, at a
24 minimum gross sum of One Hundred and Twenty Thousand Dollars (\$120,000.00), or more.

25
26 2. The Executor, Richard B. Moore, is hereby authorized to forthwith sell the Estate's one-

1 half (1/2) interest in the approximate 6.6 acres, more or less, commonly known as 3508 Topaz
2 Park Road, and as legally described in paragraph no. 1, immediately above, to any willing and able
3 purchaser, including but not limited to the present offerors, namely, Robert Hawes and Heidi
4 Hawes, husband and wife, provided that any such sale is at least for the minimum gross purchase
5 price of One Hundred and Twenty Thousand Dollars (\$120,000.00), or more, as the case may be.

6
7 3. That, there being no other bidders, and in that Robert Hawes and Heidi Hawes, husband
8 and wife are the only persons in Court, with an interest in purchasing the subject realty, and that
9 they are ready, willing and able to purchase said parcel for said amount, said sale shall be made
10 to Robert Hawes and Heidi Hawes, or their nominee, by Executor, Richard B. Moore, through
11 First American Title Co., Minden, Nevada, Escrow or Order No. 200038255KM, care of Ms.
12 Kathy Merrill of (775) 782-6411; that said sale shall be for the gross price of ONE HUNDRED
13 AND THIRTY THOUSAND DOLLARS (\$130,000.00) cash, with escrow and related fees to be
14 equally shared between Sellers, namely between this Estate and the Hurder Trust, and Buyers;
15 and, with escrow to close within a reasonable period of time hereof.

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18 4. That the Ten Percent (10%) Real Estate Commission, payable to the Brokers Group, Inc.
19 is reasonable and complies with governing law; that, said Commission shall be paid upon the close
20 of escrow.

21 5. That, co-owner, the Mary Jane Moore Hurder 1993 Trust, through its Successor Trustee,
22 Martha Klees; has consented to the \$130,000.00, given this Court's finding that said purchase
23 price is well within fair market value, and is in the best interest of the Estate, including its
24 beneficiaries.

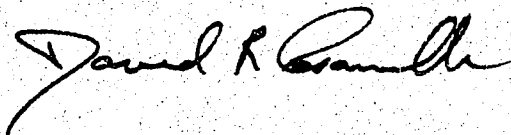
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26 6. The Estate and Hurder Trust shall equally share the expense of any attorney's fees billed

1 by the law firm of Noel E. Manoukian, Ltd., incidental to any sale of realty hereunder.

2 7. This Court finds that the Mike Moore Estate has alone made the following payments, for
3 the equal benefit of this Estate and the Hurder Trust. This Court makes specific findings as to
4 what the payments were for, namely, the sum of Three Hundred and Fifty Dollars (\$350.00) for
5 the Pete Bowie appraisal, and the further sum of One Thousand Dollars and Thirty-One Cents
6 (\$1,000.31); that, the Mary Jane Hurder Trust owes this Mike Moore Estate, the sum of Six
7 Hundred and Seventy-Five Dollars and Fifteen Cents (\$675.15), exclusive of interest. That,
8 accordingly, the Hurder Trust shall forthwith reimburse this Estate in the sum of \$675.15,
9 constituting said Trust's one-half (1/2) of said expenses.
10

11
12 8. That attorney Noel E. Manoukian of the law firm of Noel E. Manoukian, Ltd., which firm
13 has rendered valuable ordinary and extraordinary legal services necessary to this prospective sale,
14 shall be paid an attorney's fee, including costs incurred, in the sum of Four Thousand, Five
15 Hundred Fourteen Dollars (\$4,514.00), which shall be immediately payable to NOEL E.
16 MANOUKIAN, LTD., together with any other reasonable sums billed by said law firm, provided
17 that said billing time is or has been incurred incidental to any sale of realty occurring hereunder,
18 which time and hours shall be set forth in detail in a billing/statement from said law firm; that, the
19 fees and costs presented to this Court in the sum of \$4,514.00, are specifically found to be
20 reasonable.
21

22 DATED this 13 day of February, 2001.

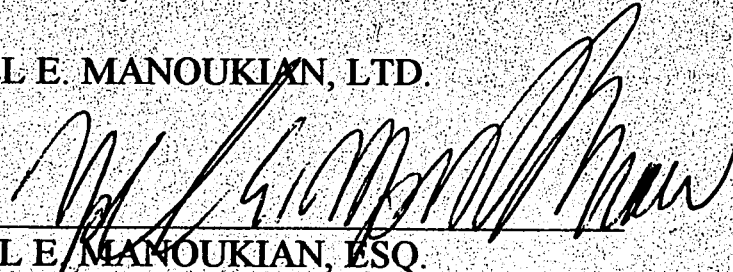
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25 _____
DISTRICT JUDGE

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Submitted By:

NOEL E. MANOUKIAN, LTD.

BY 
NOEL E. MANOUKIAN, ESQ.

Nevada Bar No. 1137
1466 Highway 395 North
Gardnerville, Nevada 89410
(775)782-9747
Attorneys for Petitioner

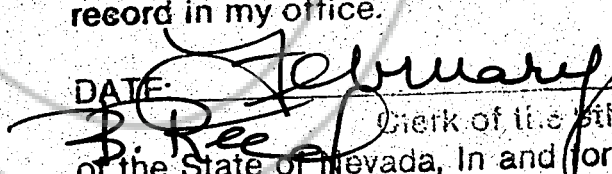
LAW OFFICES
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(775) 782-9747 OR 883-3299

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: February 13, 2001


Clerk of the 5th Judicial District Court
of the State of Nevada, In and for the County of Douglas,

By  Deputy

REQUESTED BY
FIRST AMERICAN TITLE CO.
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2001 APR 13 PM 3:46

LINDA SLATER
RECORDER

\$ 11.00 PAID BC DEPUTY