

Assessor's Parcel Number: 1022-10-002-012

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City/State/Zip Gardnerville, NV 89410

R.P.T.T.: _____

143-2099313-JJ

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IN OFFICIAL RECORDS OF
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2003 SEP 12 PM 4: 25

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ORDER CONFIRMING SALE OF REAL PROPERTY AND PAYMENT OF COSTS
(Title of Document)

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1 CASE NO. 03-PB-0023

2 DEPT. NO. I

2003 SEP 10 PM 4:05

BARBARA REED
CLERK

BY B. Williams DEPUTY

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

8 IN AND FOR THE COUNTY OF DOUGLAS

9 IN THE MATTER OF THE ESTATE

10 -of-

11 JUDITH HARTIGAN,

12 Deceased.

ORDER CONFIRMING SALE OF REAL
PROPERTY AND PAYMENT OF COSTS

Rowe & Hales
Attorneys At Law

13 _____ /
14 THIS MATTER came on before the Court on the 9th day of
15 September, 2003, on the Verified Petition of the Douglas County Public
16 Administrator for Confirmation of Sale of Real Property and Payment of
17 Costs ("Petition"). The Petition was filed on August 14, 2003. Also
18 filed on August 14, 2003, were the Notice of Hearing and Notice of
19 Sale. The private sale was conducted at the same time as the Court
20 conducted its hearing on the Petition.

21 In the Petition, the Public Administrator advised the Court that
22 as a result of her efforts to market the property of the Decedent,
23 she, through M. Scott Properties, Inc., had received an offer for
24 \$55,000.00. The offer was made by Sherri Negrete. Petitioner
25 requested the Court confirm the sale of the Decedent's property to the
26 Ms. Negrete.
27

28 Present in Court were the Public Administrator, together with

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1 her counsel, MICHAEL SMILEY ROWE, ESQ. of ROWE & HALES, LLP. Also
2 present were Marleane Scott and Lori Raschilla of M. Scott Properties,
3 Inc. Ms. Negrete was also in attendance.

4 Based upon the Verified Petition, the Notice of Private Sale and
5 the Notice of Hearing, all of which were filed on August 14, 2003,
6 together with all previous pleadings filed in this estate, together
7 with the representations made in open Court at the hearing on the
8 Petition, the Court hereby finds and orders as follows:

9
10 1. The property which is the subject of this Order, the sale
11 of which is hereby confirmed, is commonly known as 1335 Hemetite
12 Gardnerville, Nevada; Douglas County, Nevada Assessor's Parcel No.
13 1022-10-002-012 (hereinafter "the property").

14 2. The Petitioner advised the Court that no appraisal had been
15 performed on the subject property. This property is in deplorable
16 condition and the mobile home situated on the property may not have
17 any value, including scrap value.

18 4. In her Petition, and in open Court, the Petitioner reported
19 to the Court that there were certain terms of the sale which had been
20 agreed upon by Ms. Negrete. Those terms are:

21 Purchase price: \$ 55,000.00
22 Deposit: \$ 1,000.00
23 Title Company and Split 50/50;
Escrow costs: First American Title Co.; "Kathy"
24 Buyer's funding: All Cash
Offer is an "as is, court approved sale"
25 Buyer to pay for all inspections desired.

26 At the date, time and place of the sale and hearing,
27 present in Court were Ms. Negete, together with two other interested
28

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1 parties. Pursuant to NRS 148.270, the Court accepted bids in an
2 amount which meet or exceed the statutory requirement. At the
3 conclusion of the bidding process, Sherri Negrete emerged as the
4 highest bidder for the property at \$69,000.00

5 5. Based upon the results of the bidding process, this Court
6 entered an order confirming the sale of the property to Sherri
7 Negrete, subject to the terms of the offering set forth hereinabove,
8 together with the following conditions:

- 9 • On or before 5:00 p.m. on September 9, 2003, Sherri Negrete
10 will present sufficient evidence to the Public
11 Administrator of her ability to close the transaction.
- 12 • This transaction shall close not later than Friday,
13 September 12, 2003, at 12:00 noon.
- 14 • The Slope offer, submitted to the Court at the hearing in
15 the amount of \$68,000.00, shall remain as a "back-up"
16 offer. Should Sherri Negrete fail to meet any of the terms
17 of the sale as noticed, or any of the conditions of the
18 sale of the property to her, including closing escrow
19 within five (5) days, then the property shall be sold to
20 Mr. Slope pursuant to the terms and provisions of his offer
21 and this Order.

22 5. The Public Administrator is authorized to execute such
23 instruments as may be necessary to convey the Decedent's interest in
24 the property to either Ms. Negrete or to Mr. Slope.

25 6. The Court hereby ratifies, confirms and approves of the
26 payment of a real estate commission to M. Scott Properties, Inc. of 7%

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1 as is set forth in the Petition, the Exhibit to the Petition, and in
2 the listing agreement which has been properly executed by the Public
3 Administrator and M. Scott Properties, Inc.

4 7. It is also ordered by the Court that the Public
5 Administrator may, to the extent she is required to do so, pay such
6 funds as are required by the terms of the sale which are set forth in
7 the Petition and the Notice of Sale. For example, title company and
8 escrow costs are to be shared 50/50. It is the order of the Court
9 that the Public Administrator may pay any of the costs of the seller
10 as such costs are set forth in the Petition and its Exhibit.

11 8. The Court hereby enters its order ratifying, confirming and
12 approving of each, every and all of the actions taken by the Public
13 Administrator in listing, and now selling, the Decedent's property.
14 Further, the Court ratifies, confirms and approves of each and every
15 of the terms of the purchase of the Decedent's property as set forth

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1 in the Notice of Sale and the Verified Petition for Confirmation of
2 Sale of Real Property and Payment of Costs.

3 Dated this 10 day of September, 2003.

David R. Gamble

DAVID R. GAMBLE
DISTRICT COURT JUDGE

7 **ROWE & HALES, LLP**

Michael Smiley Rowe
MICHAEL SMILEY ROWE, ESQ.

Nevada Bar Number 1374
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Attorney for the Petitioner
LYNN ENEARL, Douglas County
Public Administrator

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.

SEAL

26 DATE: 9/12/03

27 *Breed* Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

28 By *J. Thaler* Deputy

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