

REQUESTED BY
Stewart Title of Douglas County

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 AUG -3 AM 10:35

WERNER CHRISTEN
RECORDER

\$18⁰⁰ PAID *KJ* DEPUTY

APN _____

Recording Requested By:

Stewart Title of Douglas County

1663 US Highway 395 N., Ste. 101

Minden, NV 89423

04080 1964

Order

(Title of Document)

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JUL 26 2004

DOUGLAS COUNTY
DISTRICT COURT CLERK

1 Case No. 04-PB0016

2 Dept. No. II

2004 JUL 26 PM 1:35

DAVID J. GREGORY
BY _____ ATTORNEY

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

10 OF

11 JAMES GERALD VERMEULEN,
Deceased.

ORDER APPROVING
CONFIRMATION AND
RATIFICATION OF SALE
OF REAL PROPERTY

13 TO THE HONORABLE COURT:

14 DORIS J. KERKLA, Administratrix of the Estate of JAMES GERALD
15 VERMEULEN, deceased, having rendered to the Court her Petition for Approval, Confirmation
16 and Ratification of Sale of Real Property, and a hearing thereon having been had in open Court, due
17 notice of which was proved; and no person objecting; and the Court having reviewed the evidence,
18 read the papers, and considered the matter; and it appearing:

19 I.

20 DECEDENT

21 JAMES GERALD VERMEULEN, decedent, died on or about January 23, 2004,
22 being at the time of his death a resident of Douglas County, state of Nevada, leaving certain real and
23 personal property situate or located in the state of Nevada.

24 II.

25 LAST WILL AND TESTAMENT

26 The decedent left no Last Will and Testament and died intestate.

27 ///

28 ///

ALLISON, MACKENZIE, RUSSELL, PAYLAKIS, WRIGHT & FAGAN, LTD.
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III.

APPOINTMENT OF ADMINISTRATRIX

That on March 5, 2004, the petitioner was appointed Special Administratrix of the Estate of JAMES GERALD VERMEULEN; and that Petitioner was duly appointed and qualified as Administratrix and Letters of Administration were granted on April 26, 2004; She is still acting in this capacity.

IV.

SALE OF REAL PROPERTY

That one (1) of the assets of the estate is that certain parcel of real property located at 584 Lisa Lane, Gardnerville, state of Nevada, and more particularly described as follows:

All that real property in the County of DOUGLAS, State of Nevada, being Assessor's Parcel Number 29-331-11, specifically described as: Lot 1097, as shown on the map of GARDNERVILLE RANCHOS UNIT NO. 7, filed for record in the Office of the County Recorder of Douglas County, Nevada, on March 27, 1974, in Book 374, Page 676, as File No. 72456.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

That the Administratrix has determined that it is for the advantage, benefit and in the best interest of the estate to sell the above-described real property. That petitioner requests that the sale be confirmed and ratified and that she be authorized to sell the real property pursuant to NRS 148.050 and 148.060.

V.

APPRAISAL OF REAL PROPERTY

That an appraisal on the said real property was obtained as of June 10, 2004, at a value of Two Hundred Ninety-Seven Thousand and No/100 Dollars (\$297,000.00), as more specifically described in the Real Estate Appraisal, attached to the petition filed herein as Exhibit "A".

///

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1 VI.

2 PURCHASER/TERMS

3 That the Administratrix obtained a purchaser for the entire parcel of real property
4 at a gross cash sale price of Two Hundred Ninety-Eight Thousand, Nine Hundred and No/100
5 Dollars (\$298,900.00) cash. The purchaser and other terms of the sale are more particularly set
6 forth in that certain Standard Residential Purchase Agreement. The terms of said Agreement are
7 as follows:

8 Purchasers: THOMAS C. RUSHING, JR. and HELEN RUSHING, husband and
9 wife.

10 Payment of purchase price: Good faith deposit in the amount of Fifteen Hundred
11 and No/100 Dollars (\$1,500.00), by cashier's check, certified funds, or acceptable funds, delivered
12 to Century 21 Clark Properties, and the unpaid balance shall all be paid at close of escrow.

13 Division of fees, costs, commission, and net proceeds: A real estate commission
14 of five (5%) percent will be paid by the Seller with three (3%) percent to Verus Realty,
15 representing the Buyers and two (2%) percent to Century 21-Clark Properties, representing the
16 Seller. Loan costs and insurance will be paid by the Buyers.

17 VII.

18 STATUTORY REQUIREMENTS

19 That the petitioner requests that any statutory requirements for prior court approval
20 to execute a contract, publication of notice of the sale, and other mandates be waived, as the
21 Administratrix is the sole beneficiary of the estate, and no publication is required under NRS
22 148.220 (2).

23 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED
24 as follows:

- 25 1. That the Administratrix is authorized to complete the sale of the real property
26 to THOMAS C. RUSHING, JR. and HELEN RUSHING, husband and wife, at a gross case sale
27 price of Two Hundred Ninety-Eight Thousand, Nine Hundred and No/100 (\$298,900.00) cash in
28 accordance with the agreement as set forth in Exhibit "B" of the petition filed herein, the real

ALLISON, MacKENZIE, RUSSELL, PAVLAKIS, WRIGHT & FAGAN, L.L.P.
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1 property located at 584 Lisa Lane, Gardnerville, Douglas County, state of Nevada, being more
2 particularly described as follows:

3 All that real property in the County of DOUGLAS, State of Nevada,
4 being Assessor's Parcel Number 29-331-11, specifically described
5 as: Lot 1097, as shown on the map of GARDNERVILLE
6 RANCHOS UNIT NO. 7, filed for record in the Office of the County
7 Recorder of Douglas County, Nevada, on March 27, 1974, in Book
8 374, Page 676, as File No. 72456.

9 Together with all and singular the tenements, hereditaments and
10 appurtenances thereto belonging or in anywise appertaining, and any
11 reversions, remainders, rents, issues or profits thereof.

12 2. That any and all statutory requirements for prior court approval to execute
13 a contract, publication of notice, and other mandates pertaining to the confirmation of sale of real
14 property from an estate are waived.

15 3. That the Court make any other and further relief as it may deem just and
16 proper in the premises.

17 DATED July 26, 2004.

18 Michael P. Gline
19 DISTRICT JUDGE

20 Submitted by:
21 ALLISON, MacKENZIE, RUSSELL,
22 PAVLAKIS, WRIGHT & FAGAN, LTD.
23 P.O. Box 646
24 402 North Division Street
25 Carson City, NV 89702

26 By: Andrew Mackenzie
27 ANDREW MacKENZIE, ESQ.
28 Attorneys for Petitioner

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.

DATE: 7/26/04
Gregory Clerk of the 3rd Judicial District Court
of the State of Nevada, in and for the County of Douglas,
By: Gregory Deputy

SEAL

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