

DOC # 0713054  
11/14/2007 02:28 PM Deputy: SD  
OFFICIAL RECORD  
Requested By:  
MARQUIS TITLE & ESCROW INC

Assessor's Parcel No.: 1220-25-000-001

Recording Requested by:  
Marquis Title & Escrow, Inc.  
1520 U.S. Highway 395 North  
Gardnerville, NV 89410

Douglas County - NV  
Werner Christen - Recorder  
Page: 1 Of 7 Fee: 20.00  
BK-1107 PG-3702 RPTT: # 0



Escrow Number: 272060566

TITLE OF DOCUMENT: ORDER CONFIRMING  
VERIFIED PETITION SALE  
OF REAL PROPERTY AND  
PAYMENT OF COSTS

1 CASE NO. 07-PB-0021 RECEIVED

2 DEPT. NO. I OCT - 3 2007

2007 OCT -4 PM 2:06

DOUGLAS COUNTY  
DISTRICT COURT CLERK

J. ROGGERS  
J. ROGGERS  
DEPUTY

3 The undersigned affirms  
4 that this document contains  
5 no Social Security Number

6  
7 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
8  
9 IN AND FOR THE COUNTY OF DOUGLAS

10 In the Matter of the Estate

ORDER CONFIRMING VERIFIED  
PETITION SALE OF REAL PROPERTY  
AND PAYMENT OF COSTS

11 -of-

12 ALFRED F. JUDD,  
13 Deceased.

14  
15 THIS MATTER was brought on before the Court on the 2nd day of  
16 October, 2007, on the Petitioner's Verified Petition for Confirmation  
17 of Sale of Real Property and Payment of Costs ("Petition") which was  
18 filed with the Court on September 4, 2007. Also filed with this  
19 Court is a Notice of Hearing which has been filed by the Petitioner  
20 advising that the real property and improvements of the Decedent  
21 would be sold at the hour of 1:30 o'clock p.m. on September 25, 2007.  
22 An Amended Notice of Hearing was filed with the Court on September  
23 18, 2007, advising that the Court would hear the Petition on October  
24 2, 2007.

25 Present in Court was MICHAEL SMILEY ROWE, ESQ. of ROWE & HALES,  
26 LLP, counsel for the Administrator. Based upon the Verified Petition  
27 on file herein, all previous pleadings filed in this estate,  
28

Mailing Address  
P.O. Box 2080  
Minden, NV 89423  
Facsimile (775) 782-3685

Rowe & Hales  
Attorneys At Law

Physical Address  
1638 Esmeralda Street  
Minden, NV 89423  
(775) 782-8141

Mailing Address  
P.O. Box 2080  
Minden, NV 89423  
Facsimile (775)782-3685

**Rowe & Hales**  
**Attorneys At Law**

Physical Address  
1638 Esmeralda Street  
Minden, NV 89423  
(775) 782-8141

1 together with the representations made in open Court at the hearing  
2 on the Petition, the Court hereby finds and orders as follows:

3 1. The property which is the subject of this order, the sale  
4 of which is hereby confirmed, is commonly known as 500 River Rock  
5 Road, Gardnerville, Nevada. This property has been assigned Douglas  
6 County, Nevada Assessor's Parcel No. 1220-25-000-001 (hereinafter  
7 referred to as "the property").

8 2. The Petitioner has advised the Court that an appraisal was  
9 performed on the subject property on June 7, 2007. A copy of the  
10 appraisal was previously provided to the Court on June 25, 2007,  
11 attached as Exhibit "A" to the Verified Inventory and Appraisement.

12 The appraiser's opinion of value indicated the subject  
13 property was worth \$460,000.00 as of December 15, 2006. The sale  
14 price approved by the Court is less than the appraised value.  
15 However, the Court finds that the sale was properly noticed and no  
16 one, including beneficiaries, has objected, the residential real  
17 estate market is not good, that the offered price is not  
18 disproportionate to the value of the property, and the Decedent and  
19 Mr. Landino had a longtime friendship.  
20

21 Mr. Landino presented to the Court a document entitled  
22 "Judd Property - 10-2-07" wherein it is indicated that the house on  
23 the property is approximately 1,000 square feet in size located on a  
24 concrete slab. The home is in disrepair.

25 3. Petitioner has represented to the Court, and the Court  
26 accepts such representations as true, that the Deed recorded for this  
27 property reflects title to the real property and improvements as  
28



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Mailing Address  
P.O. Box 2080  
Mindden, NV 89423  
Facsimile (775)782-3685

**Rowe & Hales**  
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1 being vested in the Decedent as his sole and separate property.

2 4. In his Petition, and in Exhibit "A" attached to this  
3 Petition, Petitioner has set forth that, as a result of marketing  
4 efforts, he has received one offer in the amount of THREE HUNDRED  
5 SEVENTY FIVE THOUSAND DOLLARS (\$375,000.00), containing the following  
6 terms:

7 Purchase price: \$375,000.00  
8 Deposit: \$ 2,500.00  
9 Title Company and Split 50/50;  
Escrow costs: Marquis Title & Escrow  
Buyer's funding: All Cash  
10 Offer is an "as is, court approved sale; no warranties"  
11 Buyer to pay for all inspections desired  
Close of Escrow not more than 90 days of Court approval.

12 The offer is received from Rick J. and Edith R. Landino.

13 5. At the date, time and place of the sale and hearing,  
14 present in Court were Rick J. and Edith R. Landino.

15 6. This Court enters an order confirming the sale of the  
16 property to Rick J. and Edith R. Landino, husband and wife, as joint  
17 tenants with right of survivorship, subject to the terms of the  
18 offering set forth hereinabove, together with the following  
19 conditions:  
20

- 21 • On or before 5:00 p.m. on January 2, 2008, Rick J. and  
22 Edith R. Landino will present sufficient evidence to the  
23 Petitioner of their ability to close the transaction.
- 24 • This transaction shall close not later than 5:00 p.m.,  
25 January 2, 2008.

26 7. The Petitioner has represented that he has sent a Notice  
27 of Private Sale for publication in the Record Courier, a newspaper of  
28 general circulation within Douglas County, Nevada. The Administrator  
requested that the notice be published on September 7, 14 and 19,

Mailing Address  
P.O. Box 2080  
Mindden, NY 89423  
Facsimile (775) 782-3685

**Rowe & Hales**  
Attorneys At Law

Physical Address  
1638 Esmeralda Street  
Mindden, NY 89423  
(775) 782-8141

1 2007. An affidavit of publication has been received by the  
2 Petitioner and filed with the Court on September 24, 2007.


3 The Court concludes as a matter of law that due and proper  
4 notice of the sale of the real property and the Court's hearing on  
5 the Petition to confirm the sale of real property has been given as  
6 required by law.

7 8. The Court concludes as a matter of law that it has  
8 jurisdiction to confirm the sale of the property in view of  
9 Petitioner's compliance with all applicable statutes. The procedure  
10 governing confirmation of this sale is set forth in NRS 148.260 and  
11 NRS 148.270.  
12

13 The Court concludes that the appraisal which has been  
14 received by the Petitioner satisfies the requirements of NRS 148.260.

15 The Court concludes and so finds that it is necessary for  
16 the estate to sell the property of the Decedent, and that the estate  
17 will realize an advantage, benefit and interest in having the sale  
18 made. Good reason exists for the sale, the sale has been legally  
19 made and fairly conducted, the sale complies in all respects with the  
20 requirements of NRS 148.270, and the sum bid is not disproportionate  
21 to the property value in view of market conditions.

22 **IT IS HEREBY ORDERED** that the sale of the real property and  
23 improvements owned by the Decedent to Rick J. and Edith R. Landino,  
24 husband and wife as joint tenants with right of survivorship, in the  
25 amount of THREE HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$375,000.00)  
26 be, and the same is hereby, confirmed upon the following terms and  
27 provisions:  
28

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1 Purchase price: \$ 375,000.00  
2 Deposit: \$ 2,500.00  
3 Title Company and Split 50/50;  
4 Escrow costs: Marquis Title & Escrow  
5 Buyer's funding: All Cash  
6 Offer is an "as is, court approved sale; no warranties"  
7 Buyer to pay for all inspections desired.  
8 Close of escrow on or before January 2, 2008, at 5:00 p.m.

9 **BE IT FURTHER ORDERED** that the request of the Petitioner that  
10 this Court approve of his payment of one-half of the closing costs as  
11 set forth in the Petition is granted. It is the order of the Court  
12 that the Petitioner may pay the described share of closing costs.

13 **BE IT FURTHER ORDERED** that the Petitioner may execute such  
14 instruments of conveyance as are necessary to convey the Decedent's  
15 rights, title and interest in and to the property, to Rick J. and  
16 Edith R. Landino, husband and wife with right of survivorship for the  
17 offered sum of \$375,000.00 subject to the terms and provisions of  
18 this Order.

19 Dated this 4 day of October, 2007.

20 

21 DAVID R. GAMBLE  
22 DISTRICT COURT JUDGE

23 **ROWE & HALES, LLP**

24   
25 MICHAEL SMILEY ROWE, ESQ.

26 Nevada Bar Number 1374  
27 1638 Esmeralda  
28 P.O. Box 2080  
Minden, Nevada 89423  
(775) 782-8141

Attorney for the Petitioner



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PG- 3707  
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Mailing Address  
P.O. Box 2080  
Minden, NV 89423  
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Minden, NV 89423  
(775) 782-8141

COPY

SEAL

**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: 10/5/07

Barbara J. Griffin, Clerk of the 9th Judicial District Court of the State of Nevada, In and for the County of Douglas,

By B. Singer Deputy

