

OFFICIAL RECORD
Requested By:
STEWART TITLE

Douglas County - NV
Werner Christen - Recorder

Page: 1 of 8 Fee: 21.00
BK-1107 PG- 4323 RPTT: 0.00



APN 1220-04-510-028

Recording Requested By:

Stewart Title of Douglas County

1663 US Highway 395 N., Ste. 101

Minden, NV 89423

1000921

WHEN RECORDED MAIL TO:
Rowe & Hales, LLP
P. O. Box 2080
Minden, NV 89423

(Title of Document)

AMENDED ORDER CONFIRMING VERIFIED
PETITION SALE OF REAL PROPERTY AND
PAYMENT OF COSTS NUNC PRO TUNC

This page added to provide additional information required by NRS 111.312 Sections 1-2.
(Additional recording fee applies)

This cover page must be typed.

FILED

RECEIVED

NOV 6 2007

DOUGLAS COUNTY
DISTRICT COURT CLERK

2007 NOV -6 PM 4:29

BARBARA J. GRIFFIN
CLERK

BY J. ROGERS DEPUTY

1 CASE NO. 06-PB-0116

2 DEPT. NO. II

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

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

8 IN AND FOR THE COUNTY OF DOUGLAS

9
10 In the Matter of the Estate

11 -of-

12 GLADYS BEA COFFMAN,

13 Deceased.

AMENDED ORDER CONFIRMING
VERIFIED PETITION SALE OF REAL
PROPERTY AND PAYMENT OF COSTS
NUNC PRO TUNC

14
15 **THIS MATTER** was brought on before the Court on the 29th day of
16 October, 2007, on the Executor's Verified Petition for Confirmation
17 of Sale of Real Property and Payment of Costs ("Petition") which was
18 filed with the Court on 8 October 2007. Also filed with this Court
19 is a Notice of Hearing which has been filed by the Petitioner advising
20 that the real property and improvements of the Decedent would be sold
21 at the hour of 1:30 o'clock p.m. on 29 October 2007.

22
23 Present in Court were the Executor of this estate, SYLVIA ARNETT
24 ("Petitioner"), together with MICHAEL SMILEY ROWE, ESQ. of ROWE &
25 HALES, LLP, counsel for the Executor. Based upon the Verified
26 Petition on file herein, all previous pleadings filed in this estate,
27 together with the representations made in open Court at the hearing
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

1 on the Petition, the Court hereby finds and orders as follows:

2 1. The property which is the subject of this order, the sale
3 of which is hereby confirmed, is commonly known as 1312 Toiyabe,
4 Gardnerville, Nevada. This property has been assigned Douglas County,
5 Nevada Assessor's Parcel No. 1220-04-510-028 (hereinafter referred to
6 as "the property").

7 2. The Petitioner has advised the Court that no appraisal was
8 performed on the subject property. The Douglas County Assessor has
9 assessed the value of this property at \$122,463.00.

10 3. Petitioner has represented to the Court, and the Court
11 accepts such representations as true, that the Deed recorded for this
12 property reflects title to the real property and improvements as being
13 vested in the Decedent as her sole and separate property. Presented
14 to the Court during the hearing was a copy of a preliminary title
15 report evidencing that title to the property is vested in GLADYS BEA
16 COFFMAN.
17

18 4. In her Petition, and in Exhibit "A" attached to this
19 Petition, Petitioner has set forth that, as a result of marketing
20 efforts, she has received one offer in the amount of TWO HUNDRED
21 TWENTY FIVE THOUSAND DOLLARS (\$225,000.00), containing the following
22 terms:

23 Purchase price: \$225,000.00
24 Deposit: \$ 1,500.00
25 Title Company and Split 50/50;
Escrow costs: Stewart Title
26 Buyer's funding: Cash/loan
Offer is an "as is, court approved sale; no warranties"
27 Buyer to pay for all inspections desired
Close of Escrow not more than 30 days of Court approval.



BK- 1107
PG- 4325

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
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The offer is received from Rhonda S. Darter.

5. At the date, time and place of the sale and hearing, present in Court was Rhonda S. Darter.

6. This Court enters an order confirming the sale of the property to Rhonda S. Darter, a single woman, subject to the terms of the offering set forth hereinabove, together with the following conditions:

- On or before 5:00 p.m. on 9 November 2007 Rhonda S. Darter will present sufficient evidence to the Petitioner of her ability to close the transaction.
- This transaction shall close not later than 5:00 p.m., 9 November 2007.

7. The Petitioner has represented that she has sent a Notice of Private Sale for publication in the Record Courier, a newspaper of general circulation within Douglas County, Nevada. The Administrator requested that the notice be published on 10, 19 and 24 October 2007. An affidavit of publication has not been received by the Petitioner as of the date of the hearing. Counsel advised the Court that the Legal Ad Order Sheet was sent to the Record Courier, a newspaper of general circulation in Douglas County, Nevada on 5 October 2007. A Legal Ad Proof was provided by the newspaper, also on 5 October 2007.

Filed in open Court was a Proof and Statement of Publication attesting to publication of the Notice of Sale three (3) times on 10, 19 and 24 October 2007.

The Court concludes as a matter of law that due and proper notice of sale of the real property and the Court's hearing on the Petition to confirm the sale of real property has been given as



BK- 1107
PG- 4326

MAILING LABEL
P.O. Box 2080
Minden, NV 89423
Facsimile (775)782-3683

Rowe & Hales
Attorneys At Law

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

1 required by law.

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

7 The Court concludes that the Douglas County Assessor's
8 value which has been received by the Petitioner satisfies the
9 requirements of NRS 148.260.

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

17
18 **IT IS HEREBY ORDERED** that the sale of the real property and
19 improvements owned by the Decedent to Rhonda S. Darter, a single
20 woman, in the amount of TWO HUNDRED TWENTY FIVE THOUSAND DOLLARS
21 (\$225,000.00) be, and the same is hereby, confirmed upon the following
22 terms and provisions:

23 Purchase price: \$ 225,000.00
24 Deposit: \$ 1,500.00
25 Title Company and Split 50/50;
Escrow costs: Stewart Title
26 Buyer's funding: Cash/loan
Offer is an "as is, court approved sale; no warranties"
27 Buyer to pay for all inspections desired.
Close of escrow on or before 9 November 2007 at 5:00 p.m.



BK- 1107
PG- 4327

1 **BE IT FURTHER ORDERED** that the request of the Petitioner that
2 this Court approve of her payment of one-half of the closing costs as
3 set forth in the Petition is granted. It is the order of the Court
4 that the Petitioner may pay the described share of closing costs.

5 **BE IT FURTHER ORDERED** that the Petitioner may execute such
6 instruments of conveyance as are necessary to convey the Decedent's
7 rights, title and interest in and to the property, to Rhonda S.
8 Darter, a single woman, for the offered sum of \$225,000.00 subject to
9 the terms and provisions of this Order.

10 **BE IT FURTHER ORDERED** that Stewart Title Company shall disburse
11 the proceeds of the sale pursuant to the instruments of record as
12 reflected in Exception 5 and 6 contained in the preliminary title
13 report, to wit:

- 14 "5. The interest of Georgia Nagy as to 1/2
15 interest and Sylvia Crandall [n.k.a. Arnett]
16 and Garlene Phillips, as to 1/2 interest, as
17 evidenced by Executor's Deed Recorded: March
18 11, 1988, Book 399, Page 1573, Document 174242,
19 Official Records of Douglas County, Nevada.
- 20 6. A deed of trust to secure an indebtedness
21 in the original amount stated herein, and/or
22 other obligations secured thereby,
23 Dated: May 12, 1988
24 Amount: \$10,386.00
25 Trustor: Gladys Bea Coffman, Executrix of
26 the Estate of Lawrence Hatcher
27 Trustee: Sylvia Crandall (or Garlene Phillips,
28 Successor Trustee)
29 Beneficiary: Gladys Bea Coffman
30 Recorded: May 13, 1988, Book 588, Page 1813,
31 Document No. 178075, Official Records
32 of Douglas County, Nevada."

33 A copy of the deed of trust securing promissory note was
34 supplied to the Court at the hearing. The original principal of the

WARRANTY TITLE CO.
P.O. Box 2080
Minden, NY 89423
Facsimile (775) 782-3685

Rowe & Hales
Attorneys At Law

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

1 note was \$10,386.00. The note/deed of trust was issued May 12, 1988,
2 and bears interest at the rate of ten percent (10%). None of the
3 principal has been repaid. Through October, 2007 the amount of
4 principal and interest owed to the estate is \$66,517.94.

5 \$66,517.94 shall be repaid to the estate of GLADYS BEA COFFMAN
6 prior to the distribution of sales proceeds to Georgia Nagy, Sylvia
7 Arnett (f.k.a. Crandall) and Garlene Phillips as set forth in this
8 Order and paragraph 5 of the preliminary title report.

9 **BE IT FURTHER ORDERED** that the share of the sale's proceeds to
10 be distributed to Georgia Nagy shall be debited the sum of \$1,869.21.
11 The estate has paid \$2,589.32 in maintenance expenses and \$1,149.10
12 in utility costs since the date of death of the Decedent. The estate
13 has paid a total of \$3,738.42 in maintenance and utility expenses.
14 The expenses for maintenance and utilities should be shared equally
15 by the beneficiaries of the deed of trust; accordingly, one-half, or
16 \$1,869.21, shall be debited from the share of Georgia Nagy. Because
17 the estate has already expended the total sum of maintenance and
18 utility expenses, a reimbursement of one-half of that amount should
19 assess the estate and Georgia Nagy equally. The Court notes that the
20 two beneficiaries of the estate are Sylvia Arnett and Garlene Phillips
21 and the Court finds that by the estate's previous payment of all of
22 the maintenance and utility expenses, Garlene Phillips and Sylvia
23 Arnett have contributed their one-half share of such expenses.

24 This is an Order *Nunc Pro Tunc*. The reason for the Order is to
25

26 // /
27 // /
28 // /

0713211 Page: 7 Of 8 11/16/2007
BK- 1107
PG- 4329

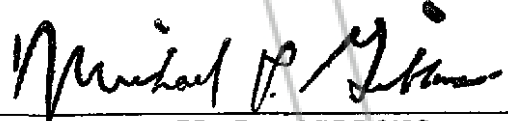
Accounting Address
P.O. Box 2080
Minden, NY 89423
Facsimile (775)782-3685

Rowe & Hales
Attorneys At Law

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


1 assess the estate's maintenance and utility expenses evenly between
2 the beneficiaries of the deed of trust.

3 Dated this 10 day of November, 2007.

4
5 

6 MICHAEL P. GIBBONS
7 DISTRICT COURT JUDGE

8 **ROWE & HALES, LLP**

9  FOX

10 MICHAEL SMILEY ROWE, ESQ.
11 Nevada Bar Number 1374
12 1638 Esmeralda
13 P.O. Box 2080
14 Minden, Nevada 89423
15 (775) 782-8141
16 Attorney for the Petitioner

17
18
19
20
21
22 SEAL

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
26 record in my office.

27 DATE: NOV-7, 2007
28 Barbara J. Griffin, Clerk of the 9th Judicial District Court
of the State of Nevada, In and for the County of Douglas,

By  Deputy



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