

APN#: 1220-16-510-057

**Recording Requested By:**  
Western Title Company, Inc.  
**Escrow No.:** 015285-SSL

**When Recorded Mail To:**  
Western Title Company  
2310 S. Carson Street, Suite 5B  
Carson City, NV  
89701

**Mail Tax Statements to: (deeds only)**

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\_\_\_\_\_

(space above for Recorder's use only)

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons.  
(Per NRS 239B.030)

**Signature** \_\_\_\_\_

  
**Susan Lapin**

**Agent**

**ORDER CONFIRMING VERIFIED PETITION FOR  
CONFIRMATION OF SALE OF REAL PROPERTY AND PAYMENT  
OF COSTS**

This page added to provide additional information required by NRS 111.312  
(additional recording fee applies)

1 CASE NO. 07-PB-0072  
2 DEPT. NO. II

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DOUGLAS COUNTY  
DISTRICT COURT CLERK

BARBARA J. GRIFFIN  
CLERK

The undersigned affirms  
that this document contains  
no Social Security Number

BY \_\_\_\_\_ DEPUTY  
K. WILFERT

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF DOUGLAS

In the Matter of the Estate

of  
WALTER HASTINGS,  
Decedent.

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

**THIS MATTER** was brought on before the Court on the 14th day of  
January, 2008, on the Petitioner's Verified Petition for Confirmation  
of Sale of Real Property and Payment of Costs ("Petition") which was  
filed with the Court on 17 December 2007. Also filed with this Court  
is a Notice of Hearing which has been filed by the Petitioner advising  
that the real property and improvements of the Decedent would be sold  
at the hour of 1:30 o'clock p.m. on 14th January 2008.

Present in Court were the Petitioner, LYNN ENEARL, Douglas  
County Public Administrator, together with MICHAEL SMILEY ROWE, ESQ.  
of ROWE & HALES, LLP, counsel for the Petitioner. Based upon the  
Verified Petition on file herein, all previous pleadings filed in this  
estate, together with the representations made in open Court at the  
hearing on the Petition, the Court hereby finds and orders as follows:

1. The property which is the subject of this order, the sale of

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Minden, NV 89423  
Facsimile (775) 782-3685

Rowe & Hales  
Attorneys At Law

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



BK-108  
PG-3278

1 which is hereby confirmed, is commonly known as 1385 Topaz Lane,  
2 Gardnerville, Douglas County, Nevada. This property has been assigned  
3 Douglas County Assessor's Parcel No. 1220-16-510-057.

4 2. No appraisal has been performed on the subject property.  
5 The Administrator has had the property listed with M. Scott Properties  
6 for approximately one month with an offering price of \$140,000.00.  
7 Previous offers were submitted and rejected by the Administrator in  
8 the amounts of \$30,000.00 and \$89,000.00.

9 3. Attached as Exhibit "A" to the Petition was a copy of  
10 the standard Land Purchase Agreement signed by the recommended buyer  
11 containing the following terms:  
12

13 Purchase price: \$140,000.00  
14 Deposit: \$ 5,000.00  
15 Title Company and Escrow costs: Split 50/50;  
16 Western Title Co.; Susan Lapin  
17 Buyer's funding: All cash  
18 Offer is an "as is, court approved sale" no warranties or  
19 guaranties.  
20 Buyer to pay for all inspections desired.  
21 Close of escrow not more than 48 hours after Court confirmation.

22 The offer was received by Shawn Holley and Rhonda Holley.

23 Based upon the above and foregoing, the Administrator requested  
24 that the sale of the real property and improvements owned by the  
25 Decedent to Shawn Holley and Rhonda Holley for the purchase price of  
26 \$140,000.00 be confirmed.

27 4. The Court conducted a hearing on the Petitioner's request.  
28 Present in Court were Shawn Holley and Janet Hutchinson. The Court  
conducted a sale after which Janet Hutchinson emerged as the highest  
bidder.

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1           5. The Court enters an order confirming the sale of the  
2 property to Janet Hutchinson, subject to the terms of the offering set  
3 forth hereinabove, together with the following conditions:

- 4           • On or before 5:00 p.m. on 14 January 2008 Janet Hutchinson  
5 will present sufficient evidence to the Petitioner of her  
6 ability to close the transaction.
- 7           • This transaction shall close not later than 5:00 p.m., 16  
8 January 2008.

9           6. The Petitioner has represented that she has sent a Notice  
10 of Sale for publication in the Record Courier, a newspaper of general  
11 circulation within Douglas County, Nevada. The Administrator  
12 requested that the notice be published on 19 and 26 December 2007, and  
13 4 January, 2008. Proof of publication was filed in open Court on 14  
14 January 2008.

15           The Court concludes as a matter of law that due and proper  
16 notice of sale of the real property and the Court's hearing on the  
17 Petition to confirm the sale of real property has been given as  
18 required by law.

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

24           The Court concludes and so finds that it is necessary for  
25 the estate to sell the property of the Decedent, and that the estate  
26 will realize an advantage, benefit and interest in having the sale  
27 made. Good reason exists for the sale, the sale has been legally made  
28

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1 and fairly conducted, the sale complies in all respects with the  
2 requirements of NRS 148.270, and the sum bid is not disproportionate  
3 to the property value in view of market conditions. The Court has  
4 reviewed and approves Petitioner's decision not to provide disclosure  
5 statements. While Petitioner has possession of the property she has  
6 possessed the property solely as a result of this probate and has no  
7 knowledge of the history of the property while it was owned by the  
8 Decedent.

9  
10 **IT IS HEREBY ORDERED** that the sale of the real property and  
11 improvements owned by the Decedent to Janet Hutchinson, as her sole  
12 and separate property, in the amount of ONE HUNDRED FORTY SEVEN  
13 THOUSAND DOLLARS (\$147,000.00) be, and the same is hereby, confirmed  
14 upon the following terms and provisions:

15 Purchase price: \$147,000.00  
16 Deposit: \$ 5,000.00  
17 Title Company and Escrow costs: Split 50/50;  
Western Title Co.; Susan Lapin  
18 Buyer's funding: All Cash  
19 Offer is an "as is, court approved sale" no warranties or  
guaranties.  
20 Buyer to pay for all inspections desired.  
Close of escrow not more than 48 hours after Court confirmation.

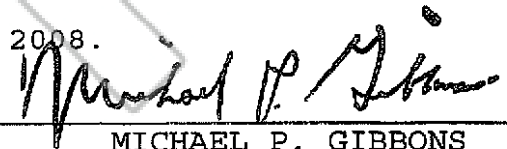
21 **BE IT FURTHER ORDERED** that the bid of Shawn Holley and Rhonda  
22 Holley in the amount of \$140,000.00 shall be considered as a "back-up"  
23 bid in the event that Janet Hutchinson fails to complete the sale upon  
24 the terms and provisions provided in this Order, and in the  
25 Administrator's Notice of Sale. The escrow for the Holley sale,  
26 should it occur on the Hutchinson failure to close escrow on or before  
27 16 January 2008 at 5:00 p.m., shall close on or before Friday, 18  
28 January, 2007 at 5:00 p.m.



1 BE IT FURTHER ORDERED that the request of the Petitioner that  
2 this Court approve of her payment of the closing costs as set forth in  
3 the Petition is granted. It is the order of the Court that the  
4 Petitioner may pay the described share of closing costs, including  
5 real estate commission to M. Scott Properties, Inc. Should M. Scott  
6 Properties, Inc. determine that a portion of the real estate  
7 commission should be paid to another agent, M. Scott Properties, Inc.  
8 shall remit such portion as determined by M. Scott Properties to the  
9 other agent.

10  
11 BE IT FURTHER ORDERED that the Petitioner may execute such  
12 instruments of conveyance as are necessary to convey the Decedent's  
13 rights, title and interest in and to the property, to Janet  
14 Hutchinson, for the offered sum of \$147,000.00 subject to the terms  
15 and provisions of this Order.

16 Dated this 15 day of January, 2008.



MICHAEL P. GIBBONS  
DISTRICT COURT JUDGE

17  
18  
19 Submitted by:

20 ROWE & HALES, LLP

21 

MICHAEL SMILEY ROWE

Nevada Bar Number 1374

P.O. Box 2080

Minden, Nevada 89423

(775) 782-8141

22 Attorney for Petitioner

23  
24  
25  
26  
27  
28  
**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: 1/15/08

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

By  Deputy

