

APN 1420-07-713-003

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01/14/2009 03:40PM Deputy: DW
OFFICIAL RECORD
Requested By:
FIRST AMERICAN TITLE MIN
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 7 Fee: 20.00
BK-109 PG-2236 RPTT: 0.00



FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT:

order confirming sale

WHEN RECORDED MAIL TO:

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2008 DEC -2 PM 1:37
DEC - 2 2008

1 CASE NO. 08-PB-0084

2 DEPT. NO. I

DOUGLAS COUNTY
DISTRICT COURT CLERK

TED THIRAN
CLERK

BY: *M. Blazigan*
DEPUTY

3 The undersigned affirms that
4 there is no social security
5 number in this document.

6
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

ORDER CONFIRMING SALE
OF REAL PROPERTY

12 JANICE WONG KEAVENY,

13
14 Deceased.

15
16 The Return of Sale of Real Property and Petition for
17 Confirmation of NADENE RUSSELL, Executrix of the estate of
18 JANICE WONG KEAVENY, also known as Janice W. Keaveny,
19 deceased, having been duly filed herein, said petition came
20 on regularly for hearing before this Court on the 2nd day of
21 December, 2008. After examining the verified Petition, and
22 after hearing the evidence, the Court finds as follows:

23 1. On October 7, 2008, Petitioner filed with the Court
24 an Inventory, Appraisement and Record of Value showing all of
25 the Estate of JANICE WONG KEAVENY, deceased (hereinafter: the
26 "Estate") which has come to her possession or knowledge.
27

28 ///

George M. Keele, Esq.
1692 County Road, #A
Minden, Nevada 89423
Phone: 775-782-9781
Fax: 775-782-2970



BK-109
PG-2237

1 2. It is necessary that the real property hereinafter
2 described be sold in order that the proceeds thereof may be
3 applied to costs and expenses of administration of the Estate
4 and to provide cash proceeds for distribution to
5 beneficiaries of the Estate. It is for the advantage,
6 benefit, and best interest of the Estate and those interested
7 therein, that said real property be sold.
8

9 3. Pursuant to the foregoing and in accordance with
10 the provisions of law relative thereto, Petitioner, as
11 Executrix of the Estate, after publishing notice as shown by
12 Affidavit of Publication on file herein, on November 6, 2008,
13 at private sale, sold the real property belonging to the
14 Estate which is described in paragraph 7 of this Order
15 (hereinafter referred to as "the Property") to DEREK R.
16 MARLATT and DONNA M. MARLATT, husband and wife, as joint
17 tenants with right of survivorship, for the sum of TWO
18 HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$212,500), with
19 the Estate paying half of the owner's policy and half of the
20 lender's policy of title insurance; with the Estate making no
21 warranty as to the personal property in the subject
22 residence; with the Estate crediting the purchaser \$5000
23 toward purchaser's closing costs; with the Estate paying up
24 to \$1000 for repairs to the property required per items 14
25 and/or 23-A; and consistent with the other terms of sale as
26 set forth in the Standard Residential Purchase Agreement and
27 Counteroffer dated 11/06/08, a copy of which is attached as
28



1 Exhibit A and incorporated by reference in the Return of Sale
2 of Real Property and Petition for confirmation filed herein
3 on November 25, 2008, this being the highest and best bid
4 made.

5
6 4. The sale was legally conducted and complied with
7 the requirements of NRS 148.240, and notice of the time,
8 place and terms of the sale was given as prescribed by law.

9 5. The Property was appraised by Kay Mathews within
10 one year prior to the date of the above-referenced sale, to-
11 wit: as of the date of the decedent's death on June 15, 2008,
12 at a value of Two Hundred Fifty Dollars (\$250,000). The sum
13 offered therefore represents approximately 85% of the June
14 15, 2008, fair market value of the property sold. If it so
15 chooses, the Court may take judicial notice of the
16 continually declining fair market value of like parcels of
17 real property in Sunridge Heights since June 15, 2008.

18 6. There is a brokerage commission in the sum of
19 Twelve Thousand Seven Hundred Fifty and no/100 Dollars
20 (\$12,750) in connection with this sale if confirmed by the
21 Court. By the terms of the sale, the Estate will be required
22 to pay a title insurance premium, real property transfer tax,
23 and certain customary closing costs and prorations at the
24 close of escrow, all as more specifically set forth in
25 Exhibit A to the Return of Sale and Petition for Confirmation
26 filed herein on November 25, 2008.

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1 7. The Property is situated in the county of Douglas,
2 state of Nevada; it is commonly known as 985 Starleaf Court,
3 Carson City (Douglas County), Nevada; and it is more
4 particularly described as follows:
5

6 All that certain lot, piece or parcel of land
7 situate in the County of Douglas, State of Nevada,
8 described as follows:

9 Lot 16, in Block D, as set forth on the final map
10 of SUNRIDGE HEIGHTS II, PHASE 2, a Planned Unit
11 Development, filed for record in the office of the
12 County Recorder of Douglas County, State of Nevada,
13 on March 3, 1994, in Book 394, Page 568, as
14 Document No. 331447.

15 Assessor's Parcel No. 1420-07-713-003

16 8. The sum offered to purchase the Property, which is
17 the proposed sale price, is not disproportionate to the value
18 of the property sold, and, after inquiring of those present
19 in Court today, it does not appear that a sum exceeding such
20 sale price by at least \$5,000 may be obtained.

21 The Court concludes that due notice was given, and, no
22 person objecting, and the Court having heard the evidence,
23 read the papers, and considered the matter, and no additional
24 bids having been made on the real property after inquiry by
25 the Court,

26 NOW, THEREFORE, IT IS HEREBY ORDERED:

27 A. That the sale so made of the Property, namely: the
28 parcel of improved real property commonly known as 985

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1 Starleaf Court, Carson City (Douglas County), Nevada, more
2 particularly described as follows, to-wit:

3
4 All that certain lot, piece or parcel of land
5 situate in the County of Douglas, State of Nevada,
6 described as follows:

7 Lot 16, in Block D, as set forth on the final map
8 of SUNRIDGE HEIGHTS II, PHASE 2, a Planned Unit
9 Development, filed for record in the office of the
10 County Recorder of Douglas County, State of Nevada,
11 on March 3, 1994, in Book 394, Page 568, as
12 Document No. 331447.

13 Assessor's Parcel No. 1420-07-713-003

14 to DEREK R. MARLATT and DONNA M. MARLATT, husband and wife as
15 joint tenants with right of survivorship, for the sum of TWO
16 HUNDRED TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$212,500), be
17 and the same is hereby confirmed; that NADENE RUSSELL,
18 Executrix of the estate of JANICE WONG KEAVENY, deceased, is
19 hereby authorized and directed to execute appropriate
20 conveyances in favor of the purchaser, to be delivered
21 through escrow, and then to deposit the estate's proceeds in
22 an estate account pending further order of this Court.

23 B. That First American Title Company is authorized and
24 directed to pay from the sale proceeds at close of escrow the
25 any customary fees or costs of seller associated with the
26 closing of escrow, including real estate commissions.

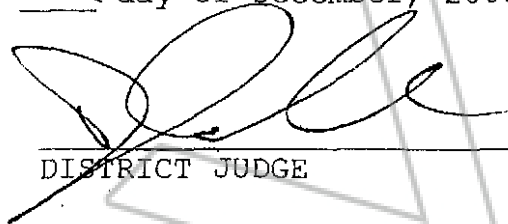
27 C. That First American Title Company is directed to
28 make the net proceeds check payable to the Estate of JANICE
WONG KEAVENY, deceased, and to deliver the check to NADENE
RUSSELL, Executrix, who is hereby authorized to endorse the



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check and who is hereby ordered to deposit those funds into a
blocked estate account pending further order of this Court.

DONE IN OPEN COURT this 2 day of December, 2008..


DISTRICT JUDGE

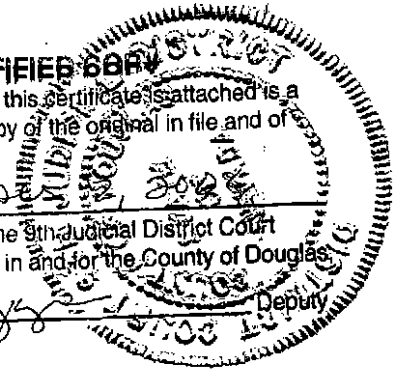
Submitted by:
George M. Keele, Esq.
Attorney for the Executrix
Nevada Bar No. 1701
1692 County Road, #A
Minden, NV 89423
Phone: 775-782-9781

ORIGINAL

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original in file and of record in my office.

DATE December 2, 2008
TED THRAN Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas
By M. Braig Deputy



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