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Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 6 Fee: \$19.00
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The undersigned hereby affirms that this document submitted for recording does not contain the Social Security number of any person or persons (NRS 239B.030)
NORTHERN NEVADA TITLE COMPANY

By: _____

Print Name/Title: Wendy Dunbar

APN: 1220-04-513-028
ORDER NO.: 1097196-wd

FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT: Order

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DOUGLAS COUNTY
DISTRICT COURT CLERK

The undersigned affirms
that this document contains
a Social Security Number

BY N. Hales DEPUTY

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

In the Matter of the
Estate

**ORDER CONFIRMING SALE OF REAL
PROPERTY AND PAYMENT OF COSTS**

of

JOHN ARLEN NEAL,

Deceased.

THIS MATTER came on before the Court on the 31st day of October, 2011, on the Verified Petition for Confirmation of Sale of Real Property and Payment of Costs ("Verified Petition") which was filed with the Court on September 22, 2011 by DAN NEAL ("Administrator" or "Petitioner"). Also filed with this Court on September 22, 2011 is an Notice of Sale which has been filed by the Petitioners advising that the real property and improvements of the Decedent would be sold at the hour of 1:30 o'clock p.m. on 31 October 2011. Notice of the hearing conducted on 31 October 2011 was filed with the Court on September 22, 2011. Proof of Publication was filed October 31, 2011.

Present in Court was the Petitioner's counsel JENNIFER YTURBIDE, ESQ. of ROWE & HALES, LLP. 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:

Mailing Address
P O Box 20880
Minden, NV 89423
Facsimile (775)782-3685

Rowe & Hales
Attorneys At Law

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

1 1. The property which is the subject of this order, the sale
2 of which is hereby confirmed, 1383 Kittyhawk, Gardnerville, Douglas
3 County, Nevada. This property has been assigned Douglas County
4 Assessor's Parcel No. 1220-04-513-028.

5 2. The Petitioner has advised the Court that no appraisal has
6 been performed on the subject property, and all beneficiaries have
7 dispensed with the need for a formal appraisal in accordance with NRS
8 148.260. A Waiver of Appraisal and Consent to Sale executed by all
9 beneficiaries was attached to the Petition as Exhibit "A".

10 Attached as Exhibits "B" and "C" to the Petition are the
11 comparative market analysis prepared by Denny Cavnar and the assessed
12 value prepared by Douglas County Assessor's Office.

13 3. Petitioner has represented to the Court, and the Court
14 accepts such representations as true, that the Deed recorded for this
15 property reflects title to the real property and improvements as being
16 vested in the Decedent, as a widower. The Douglas County Assessor
17 lists the Decedent as the sole owner of the property.

18 4. In the Verified Petition, and in Exhibit "D" attached to the
19 Petition, Petitioners have set forth that, as a result of marketing
20 efforts, the Administrators have received one offer in the amount of
21 ONE HUNDRED TWO THOUSAND DOLLARS (\$102,000) received by Peter and Ilda
22 Przybyia containing the following terms:

- 23 Purchase price: \$102,000.00
- 24 Deposit: \$ 1,000.00
- 25 Title Company and Split 50/50;
- 26 Escrow costs: Northern Nevada Title Co.
- 27 Buyer's funding: All Cash
- 28 Offer is an "as is, court approved sale"; no warranties or
guaranties.



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

Rowe & Hales
Attorneys At Law

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

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Buyer to waive all inspections desired.

Close of escrow not more than 15 days after Court confirmation.

5. At the date, time and place of the sale and hearing, Peter and Ilda Przybyia were present in Court.

6. This Court enters an order confirming the sale of the property to Peter and Ilda Przybyia, subject to the terms of the offering set forth hereinabove, together with the following conditions:

- On or before 5:00 p.m. on 4 November 2011, Peter and Ilda Przybyia will present sufficient evidence to the Petitioners of their ability to close the transaction.
- This transaction shall close not later than 5:00 p.m., 4 November 2011.

7. The Court concludes as a matter of law that due and proper notice of the sale of the real property and the Court's hearing on the Petition to confirm the sale of real property has been given as required by law. Medicaid Estate Recovery and all of the heirs of this estate have been provided with copies of the Notice of Sale, Notice of Hearing and a copy of the Verified Petition.

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

The Court concludes that the property valuation information which has been received by the Administrator satisfies the requirements of NRS 148.260.

The Court concludes and so finds that it is necessary for



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

Rowe & Hales
Attorneys At Law

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

1 the estate to sell the property of the Decedent, and that the estate
2 will realize an advantage, benefit and interest in having the sale
3 made. Good reason exists for the sale, the sale has been legally made
4 and fairly conducted, the sale complies in all respects with the
5 requirements of NRS 148.270, and the sum bid is not disproportionate
6 to the property value.

7 **IT IS HEREBY ORDERED** that the sale of the real property and
8 improvements owned by the Decedent to Peter and Ilda Przybyia in the
9 amount of ONE HUNDRED TWO THOUSAND DOLLARS (\$102,000) be, and the same
10 is hereby, confirmed upon the following terms and provisions:

- 11 Purchase price: \$102,000.00
- 12 Deposit: \$ 1,000.00
- 13 Title Company and Split 50/50;
- 14 Escrow costs: Northern Nevada Title Co.
- 15 Buyer's funding: All Cash
- 16 Offer is an "as is, court approved sale"; no warranties or
- 17 guaranties.
- 18 Buyer to waive all inspections desired.
- 19 Close of escrow not more than 5 days after Court
- 20 confirmation.

21 **BE IT FURTHER ORDERED** that the request of the Petitioners that
22 this Court approve of their payment of one-half of the closing costs
23 as set forth in the Petition, and that the Court approve of their
24 payment of a real estate commission of 5% is granted. It is the order
25 of the Court that the Petitioners may pay the described share of
26 closing costs and the real estate commissions.

27 **BE IT FURTHER ORDERED** that the Petitioners may execute such
28 instruments of conveyance as are necessary to convey the Decedent's
rights, title and interest in and to the property, to Peter and Ilda
Przybyia for the offered sum of \$102,000 subject to the terms and



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provisions of this Order.

DATED this 31 day of October, 2011.

MICHAEL P. GIBBONS
DISTRICT COURT JUDGE

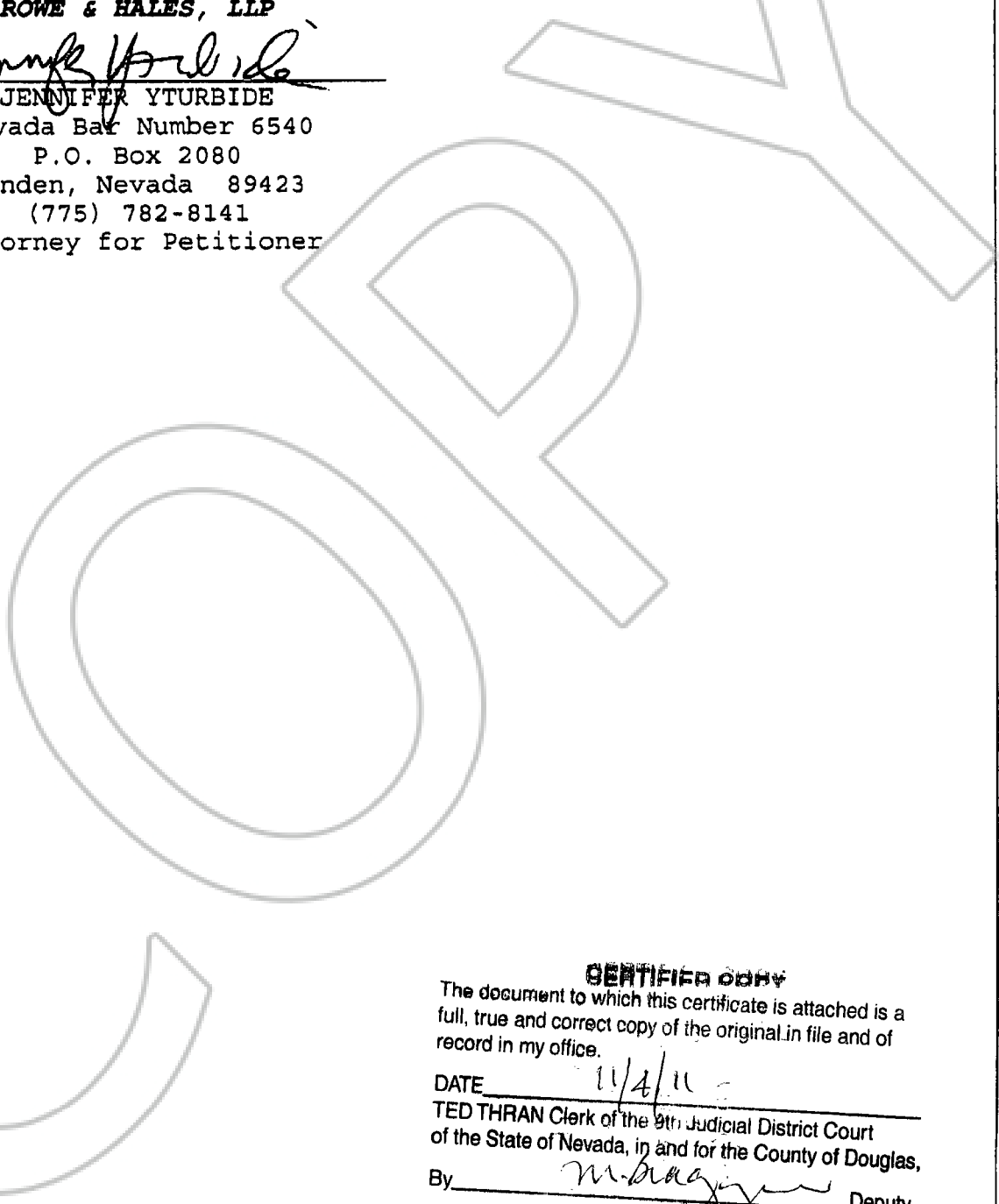
ROWE & HALES, LLP

JENNIFER YTURBIDE
Nevada Bar Number 6540
P.O. Box 2080
Minden, Nevada 89423
(775) 782-8141
Attorney for Petitioner

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

Rowe & Hales
Attorneys At Law

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



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 11/4/11

TED THUAN Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

By Deputy