

APN 1320-30-311-030

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OFFICIAL RECORD

Requested By:

First American Title Mindel

Douglas County - NV

Karen Ellison - Recorder

Page: 1 of 8 Fee: \$21.00

BK-912 PG-596 RPTT: 0.00



FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT:

Amended Order Pertaining To  
Foreign Judgment CONFIRMING  
Sale of Real PROPERTY

WHEN RECORDED MAIL TO:

George M, Keele, Esq.

1692 County Rd. #A

Minden, NV 89423



1 CASE NO. 11-PB-0089  
2 DEPT. NO. II  
3  
4

**RECEIVED**  
AUG 30 2012  
DOUGLAS COUNTY  
DISTRICT COURT CLERK

**FILED**  
2012 AUG 30 PM 4:51  
TED THUAN  
CLERK  
**K. WILFERT** DEPUTY

5  
6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF DOUGLAS  
8

9 IN THE MATTER OF THE GUARDIANSHIP  
10 OF  
11 SHIRLEY PRATER,  
12 Adult Ward.  
13

AMENDED  
ORDER PERTAINING  
TO FOREIGN  
JUDGMENT CONFIRMING  
SALE OF REAL  
PROPERTY

14  
15 THIS CAUSE comes before the above-entitled Court upon  
16 the petition of George M. Keele, A Professional Corporation,  
17 as counsel to Sharon Ehrig and Donald Swierstra,  
18 Conservators of Shirley Prater in Case No. CONPS-1100304 in  
19 the Superior Court of California, County of San Bernardino,  
20  
21 *IN RE: THE MATTER OF THE CONSERVATORSHIP OF SHIRLEY PRATER.*

22 Having reviewed the Petition, and being fully advised  
23 in the premises, the Court finds as follows:

24 1. The instant Case No. 11-PB-0089 in this Department  
25 No. 2 in the Ninth Judicial District Court of the State of  
26 Nevada in and for the County of Douglas began as a  
27 guardianship of the person and estate of SHIRLEY PRATER, who  
28



1 is the same SHIRLEY PRATER named as the Conservatee in  
2 Superior Court of California, County of San Bernardino, Case  
3 No. CONPS-1100304.

4 2. The said Conservatee, SHIRLEY PRATER, has recently  
5 moved to California, leaving an improved parcel of real  
6 property ("the Parcel") in the state of Nevada, commonly  
7 known as 865 Longleaf Place, Minden, Douglas County, Nevada  
8 89423. The legal description of the Parcel is as follows:

9  
10 LOT 5 IN BLOCK D AS SET FORTH ON FINAL MAP OF  
11 WESTWOOD VILLAGE UNIT NO. III FILED IN THE OFFICE  
12 OF THE COUNTY RECORDER OF DOUGLAS COUNTY, STATE OF  
13 NEVADA, ON AUGUST 31, 1989, IN BOOK 889, PAGE  
14 4564, AS DOCUMENT NO. 209883.

15 Assessor's Parcel No. 1320-30-311-030.

16 3. Upon removing to California, SHIRLEY PRATER became  
17 the Conservatee in Case No. CONPS-1100304 in Superior Court  
18 of California, County of San Bernardino, whereupon, the  
19 instant Court, namely: Department II of the Ninth Judicial  
20 District of the State of Nevada in and for the County of  
21 Douglas, entered its provisional (see NRS 159.2024(2)) Order  
22 Approving Petition to Transfer Jurisdiction of this  
23 guardianship proceeding to the Superior Court of California,  
24 County of San Bernardino, in Case No. CON PS-1100304,  
25 reserving such jurisdiction as may be necessary to resolve  
26 all matters pertinent to the Nevada guardianship of the  
27 estate of SHIRLEY PRATER, an adult ward, such guardianship  
28



1 of the ward's estate not yet having been terminated (see  
2 generally NRS 159.2024). For this Honorable Court to  
3 consider and enter an order dealing with the instant  
4 Petition is a matter that remains within the jurisdiction of  
5 this Court.

6 4. The names and post office addresses of the  
7 Conservators in the above-entitled California Superior Court  
8 conservatorship are as follows:

9 SHARON EHRIG, 2716 Whirlaway Street, Alta Loma, CA 91737

10 DONALD SWIERSTRA, 8345 Pacerway, Riverside, CA 92509.

11 5. On August 13, 2012, the Superior Court of  
12 California, County of San Bernardino, in Case No. CONPS-  
13 1100304, entered its Order Confirming Sale of Real Property  
14 in which it found, among other things, that:

15 2. All notices required by law were given  
16 and, if required, proof of notice of sale was  
17 made.

18 3. b. Good reason existed for the sale of  
19 the property commonly described as 865 Longleaf  
20 Place, Minden, Nevada 89423.

21 4. The sale was legally made and fairly  
22 conducted.

23 5. The confirmed sale price is not  
24 disproportionate to the value of the property.

25 6. Private sale: The amount bid is 90% or  
26 more of the appraised value of the property as  
27 appraised within one year of the date of the  
28 hearing.

7. \*\*\* N/A

8. The conservator of the estate of the  
decendent, conservatee, or minor has made  
reasonable efforts to obtain the highest and best  
price reasonably attainable for the property.



1           6. The California Superior Court, among other things,  
2 ordered as follows:

3           9. The sale of the real property legally  
4 described [as the Parcel] is confirmed to ERNEST  
5 J. WURSCHUM AND JANICE M. WURSCHUM, HUSBAND AND  
6 WIFE AS JOINT TENANTS for the sale price of  
7 \$229,000 \* \* \*

8 on terms set forth in the purchase agreement between the  
9 Conservators and Ernest J. Wurschum and Janice M. Wurschum,  
10 as purchasers of the Parcel.

11           7. On August 30, 2012, the Conservators in the  
12 California Superior Court Case No. CONPS-1100304 registered  
13 the above-referenced August 13, 2012, Order Confirming Sale  
14 of Real Property in the instant Douglas County, Nevada,  
15 District Court Case No. 11-PB-0089, by filing in the instant  
16 Court the following documents, pursuant to section 159.2025  
17 of the Nevada Revised Statutes ("NRS"):

18           A. Certified copies of the California Superior  
19 Court order and letters of office; and

20           B. Copies of the guardians' drivers' licenses in  
21 a sealed envelope.

22           8. The provisions of subsection 1 of NRS 17.360 read  
23 as follows:

24           At the time of the filing of the foreign  
25 judgment, the judgment creditor or the judgment  
26 creditor's attorney shall file with the clerk of  
27 the court an affidavit setting forth the name and  
28 last known post office address of the judgment  
debtor and the judgment creditor. The affidavit



1 must also include a statement that the foreign  
2 judgment is valid and enforceable, and the extent  
3 to which it has been satisfied.  
4 This Court finds that there is no judgment creditor nor  
5 judgment creditor's attorney in California Superior Court  
6 Case No. CONPS-1100304; therefore, the law does not require  
7 the judgment creditor or the judgment creditor's attorney to  
8 file with the clerk of this court an affidavit as required  
9 by subsection 1 of NRS 17.360; therefore, the provisions of  
10 subsection 1 of NRS 17.360 do not apply in the instant case.

11 9. The provisions of subsections 2 and 3 of NRS  
12 17.360 read as follows:

13 2. Promptly upon filing the foreign  
14 judgment and affidavit, the judgment creditor or  
15 someone on behalf of the judgment creditor shall  
16 mail notice of the filing of the judgment and  
17 affidavit, attaching a copy of each to the notice,  
18 to the judgment debtor and to the judgment  
19 debtor's attorney of record, if any, each at his  
20 or her last known address by certified mail,  
21 return receipt requested. The notice shall include  
22 the name and post office address of the judgment  
23 creditor and the judgment creditor's attorney, if  
24 any, in this state. The judgment creditor shall  
25 file with the clerk of the court an affidavit  
26 setting forth the date upon which the notice was  
27 mailed.

28 3. No execution or other process for  
enforcement of a foreign judgment may issue until  
30 days after the date of mailing the notice of  
filing.

The Court finds and concludes that, because there is no  
judgment creditor; no judgment creditor's attorney; no  
judgment debtor; and no judgment debtor's attorney in



1 California Superior Court Case No. CONPS-1100304, the  
2 provisions of subsections 2 and 3 of NRS 17.360 do not apply  
3 in the instant case.

4 10. Based upon these findings and conclusions, the  
5 provisions of NRS 17.350, which read as follows:

6 An exemplified copy of any foreign judgment may be  
7 filed with the clerk of any district court of this  
8 state. The clerk shall treat the foreign judgment  
9 in the same manner as a judgment of the district  
10 court of this state. A judgment so filed has the  
11 same effect and is subject to the same procedures,  
12 defenses and proceedings for reopening, vacating  
13 or staying as a judgment of a district court of  
14 this state and may be enforced or satisfied in  
15 like manner.

16 are fully effective from the entry of the instant Order.

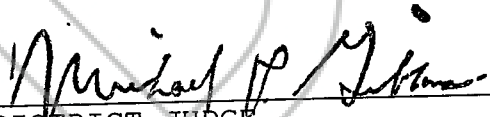
17 NOW, THEREFORE, IT IS HEREBY ORDERED that the  
18 exemplified copy of the Order Confirming Sale of Real  
19 Property entered August 13, 2012, in California Superior  
20 Court, San Bernardino County, Case No. CONPS-1100304  
21 (hereinafter "California Superior Court" Order in Case No.  
22 CONPS-1100304"), having been filed with the Clerk of this  
23 Ninth Judicial District Court of the State of Nevada in and  
24 for the County of Douglas, the said California Superior  
25 Court Order in Case No. CONPS-1100304 shall be treated by  
26 the Clerk in the same manner as a judgment of this or any  
27 other district court of this state, i.e. the state of  
28 Nevada.



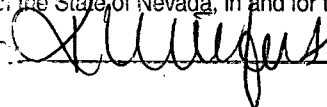


1 AND IT IS FURTHER ORDERED that the escrow pertaining to  
 2 the Parcel that is currently pending closing of escrow in  
 3 the state of Nevada, in which Ernest J. Wurschum and Janice  
 4 M. Wurschum are the buyers and the above-named Conservators  
 5 of SHIRLEY PRATER are the sellers, may close forthwith, in  
 6 accordance with the provisions of the purchase agreement and  
 7 escrow instructions between the Conservators of SHIRLEY  
 8 PRATER, as seller, and the Wurschums, as buyers.

9 DATED this 30 day of August, 2012.

11   
 12 \_\_\_\_\_  
 13 DISTRICT JUDGE

14  
 15 SUBMITTED BY:  
 16 George M. Keele, Esq.  
 17 Nevada Bar No. 1701  
 18 Attorney for Sharon Ehrig and  
 19 Donald Swierstra, Conservators  
 20 of the Person and Estate of  
 21 Shirley Prater, Conservatee  
 22 1692 County Road, Ste. A  
 23 Minden, NV 89423  
 24 Phone: 775-782-9781

25 **CERTIFIED COPY**  
 26 The document to which this certificate is attached is a  
 27 full, true and correct copy of the original in file and of  
 28 record in my office.  
 DATE 8/30/12  
 TED THRAN Clerk of the 9th Judicial District Court  
 of the State of Nevada, in and for the County of Douglas,  
 Deputy