

DOC # 814815
12/19/2012 11:02AM Deputy: SG
OFFICIAL RECORD
Requested By:
Northern Nevada Title CC
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 6 Fee: \$19.00
BK-1212 PG-5209 RPTT: 0.00



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: 1219-09-001-019
ORDER NO.: 1099009-wd

FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT: Order Confirming Sale

WHEN RECORDED MAIL TO:

Darwin V. Ellis
297 Great Hill Road
Ridgefield, CT 06877



FILED

RECEIVED

DEC 13 2012

**DOUGLAS COUNTY
DISTRICT COURT CLERK**

1 CASE NO: 10-PB-0046
2 DEPT. NO. I

2012 DEC 14 AM 8:58

TED THUAN
CLERK

3 I hereby affirm that this document does not contain
4 the social security number of any person or persons.

~~K. WILFERT~~ DEPUTY

5 Printed Name: Rachelle J. Nicolle

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

9
10
11 **IN THE MATTER OF THE ESTATE**
12 **OF**
13 **DARWIN K. ELLIS,**
14 **Deceased**

11 **AMENDED ORDER ON PETITION FOR**
12 **CONFIRMATION OF SALE OF A 50%**
13 **INTEREST IN REAL PROPERTY**
14 **Hearing Date: December 11, 2012**
15 **Hearing Time: 1:30 pm**
16 **Dept. No. I**

17 **Petitioner DARWIN VINCENT ELLIS, also known as DARWIN V. ELLIS, Executor of**
18 **the Estate of DARWIN K. ELLIS (the "Decedent"), by and through his counsel, RACHELLE J.**
19 **NICOLLE, filed a PETITION FOR CONFIRMATION OF SALE OF A 50% INTEREST IN**
20 **REAL PROPERTY.**

21 **This matter came on for hearing before the above-entitled court on the 11TH day of**
22 **December, 2012. The Court finds that due and proper notice has been given in accordance with**
23 **law. No person appearing either by pleading or in person, to oppose the Petition or to bid on the**
24 **property at the hearing.**

25 **The Court hereby finds as follows:**



1 **At the time of the Decedent's death on January 16, 2010, the Decedent owned a 50%**
 2 **interest in the real property located at 1148 Autumn Hills Road, Gardnerville, Douglas County,**
 3 **Nevada, 89460 (hereinafter the "Real Property"). The legal description for 100% interest in the**
 4 **Real Property is more particularly described as follows:**

5 **All that real property situated in the unincorporated area, County of Douglas, State of**
 6 **Nevada, bounded and described as follows:**

7 **Parcel 1:**

8 **The South 250.0 feet of the West 838.09 feet of the North 1/2 of the North**
 9 **1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 9, Township 12**
 10 **North, Range 19 East, M.D.B. & M.**

11 **Parcel 2:**

12 **TOGETHER WITH a non-exclusive right to use the East 30 feet of the**
 13 **North 1/2 of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 and the**
 14 **North 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 9, Township**
 15 **12 North, Range 19 East, M.D.B. & M., for ingress to and egress from the**
 16 **parcel hereby conveyed.**

17 **TOGETHER WITH the non-exclusive right to use the right of way**
 18 **acquired by parties of the first part by deeds recorded under Document**
 19 **nos. 15947 and 15948, Douglas County, Nevada, records for the purpose**
 20 **of ingress to and egress from the parcel herein described.**

21 **ALSO TOGETHER WITH the non-exclusive right to use the meandering**
 22 **road that traverses the northwest corner of the herein described parcel**
 23 **across all other lands owned by the parties of the first part in said Section 9**
 24 **as contained in the Deed recorded April 26, 1960, in Book 2 of Official**
 25 **Records, Page 213 under Document No. 15951, Douglas County, Nevada.**



1 ALSO TOGETHER WITH an easement for a non-exclusive access road,
2 20 feet in width lying North of and adjacent to the Easterly 470.06 feet of
3 the South line of the said North 1/2 of the North 1/2 of the Southeast 1/4 of
4 the Northeast 1/2 of Section 9.

5 ALSO TOGETHER WITH AN easement for a non-exclusive road right of
6 way 30 feet in width, West of and adjacent to the East line of said Section
7 9, Township 12, North, Range 19 East, M.D.B. & M., described herein.

8 Together with all and singular the tenements, hereditaments and
9 appurtenances thereunto belonging or in anywise appertaining, and any
10 reversions, remainders, rents, issues or profits thereof.

11 **A.P.N. 1219-09-001-019**

- 12 1. The Real Property was appraised on October 12, 2012 as having a value of
13 \$334,000.00, by Marsha Williams, a Nevada Certified Residential Appraiser. A
14 copy of this appraisal is on file with the Court.
- 15 2. The Executor has determined that the Real Property should be sold.
- 16 3. The Executor (DARWIN VINCENT ELLIS), on behalf of the Estate's 50%
17 interest, together with DARWIN VINCENT ELLIS who personally owns the
18 remaining 50% interest, has received an offer to purchase 100% of the Real
19 Property by PHILLIP EDMONDSON (on behalf of Phillip Edmondson and Laura
20 Edmondson, Trustees of the Phillip Edmondson and Laura Edmondson 2001
21 Trust) for THREE HUNDRED THIRTY-TWO THOUSAND FIVE HUNDRED
22 DOLLARS and NO CENTS (\$332,500.00). Said purchase is to be for cash.
- 23 4. The Seller(s) – the Executor in his official capacity and in his personal capacity –
24 sold the Real Property using the services of Beverly Realty, by Denny Cavnar.
25 The Buyer(s) also purchased the Real Property using the services of Beverly



1 Realty, by Denny Cavnar. The realtor for the Seller(s) and Buyer(s) is to receive
2 a 5% total commission for the sale.

3 5. The Seller(s) will pay for the owner's policy of title insurance and the Buyer(s)
4 will pay for the lender's title policy of title insurance. Other escrow costs and
5 transfer taxes will be split 50/50 between the Seller(s) and Buyer(s). All taxes,
6 rents, interest, payments on bonds and assessments and homeowners association
7 fees will be prorated as of the date of recordation of the deed. The Real Property
8 is being sold in "As Is" condition. Buyer(s) have waived all contingencies except
9 the need for the Court's approval for the 50% of the Real Property owned by the
10 Estate.

11
12 Based upon the above findings, and good cause appearing therefore, it is hereby

13 **ORDERED as follows:**

14 1. The Court approves and confirms the price and terms for the sale of a 100% of the
15 Real Property to PHILLIP EDMONDSON (on behalf of Phillip Edmondson and
16 Laura Edmondson, Trustees of the Phillip Edmondson and Laura Edmondson
17 2001 Trust) for THREE HUNDRED THIRTY-TWO THOUSAND FIVE
18 HUNDRED DOLLARS and NO CENTS (\$332,500.00). It is ordered that the
19 Executor is authorized to transfer the Estate's 50% interest in the Real Property to
20 Phillip Edmondson and Laura Edmondson, Trustees of the Phillip Edmondson
21 and Laura Edmondson 2001 Trust, upon their payment of such purchase price and
22 costs.

23 2. The Executor, DARWIN VINCENT ELLIS, is hereby authorized and ordered to
24 execute a Deed conveying the Estate's fifty percent (50%) interest in the Real
25 Property to Phillip Edmondson and Laura Edmondson, Trustees of the Phillip



Edmondson and Laura Edmondson 2001 Trust, upon payment of the purchase price and said Deed shall thereafter be recorded in the office of the County Recorder of Douglas County, Nevada, along with a certified copy of this Order.

- 3. The Executor is authorized to pay the Estate's share of the 5% real estate commissions and the Estate's share of the closing costs. The Executor is authorized to pay these costs from the proceeds of the sale.
- 4. The title company handling the sale shall issue separate payout checks for 1) the Estate's 50% share of the Real Property sale proceeds, and 2) for the 50% share of the Real Property sale proceeds owned by DARWIN VINCENT ELLIS, also known as DARWIN V. ELLIS. The Executor shall deposit the Estate's 50% share of the proceeds in an estate account pending the closing of the Estate.
- 5. The original December 11, 2012 order was amended since the legal description in that order was copied from the Decedent's 1972 deed and the title company handling the sale found that a scrivener's error was made on the legal description in the Decedent's 1972 deed. This amended order corrects the scrivener's error.

DATED this 14 day of Dec 2012.

District Judge

Prepared and Submitted by
Rachelle J. Nicolle #5441
Attorney for Petitioner
1662 Highway 395, Suite 214
Minden, NV 89423
(775) 782-0442

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 12/14/12
TED THРАН Clerk of the 9th Judicial District Court
of the State of Nevada, in, and for the County of Douglas,
By [Signature] Deputy