

APN 1220-21-110-057

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03/26/2013 09:17AM Deputy: AR

**OFFICIAL RECORD**

Requested By:

First American Title Minder

Douglas County - NV

Karen Ellison - Recorder

Page: 1 of 7 Fee: \$20.00

BK-313 PG-6665 RPTT: 0.00



FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT: ORDER CONFIRMING Sale OF  
REAL PROPERTY

WHEN RECORDED MAIL TO:

George M. Keels, Esquire

1692 County Rd. #A

Minden, NV 89423



1 Case No. 13-PB-0016

2 Dept. II

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2013 MAR 11 PM 2:05

TED THUAN  
CLERK

BY REGORY DEPUTY

RECEIVED  
MAR 11 2013  
DOUGLAS COUNTY  
DISTRICT COURT

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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 TRUST

ORDER CONFIRMING SALE OF  
REAL PROPERTY

10 OF

11  
12 KARL SCHROEDER and  
13 WALTRAUT SCHROEDER,

14 Grantors.

15 \_\_\_\_\_ /  
16 The Petition for Confirmation of Sale of Real Property  
17 filed by EMMETT HOOD, as Successor Trustee of THE THIRD  
18 AMENDED & RESTATED SCHROEDER FAMILY TRUST AGREEMENT dated  
19 3/19/97, as amended ("Petitioner"), having been duly filed  
20 herein, said petition came on regularly for hearing before  
21 this Court on the 11<sup>th</sup> day of March, 2013. After examining  
22 the verified Petition, and after hearing the evidence, the  
23 Court finds as follows:

24 1. By instrument dated March 19, 1997, KARL SCHROEDER  
25 and WALTRAUT L. SCHROEDER, as Grantors and Trustees,  
26 executed THE SCHROEDER FAMILY TRUST AGREEMENT. On November  
27 30, 2000, said Grantors and Trustees executed a Third  
28 Amended & Restated Schroeder Family Trust Agreement dated



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3/19/97. On February 4, 2011, as sole surviving Grantor and Trustee, WALTRAUT L. SCHROEDER executed the First Amendment to the Third Amended & Restated Schroeder Family Trust Agreement dated 3/19/97.

2. Grantor KARL SCHROEDER died on September 24, 2004, in Gardnerville, Nevada, while a resident of Douglas County, Nevada; and Grantor WALTRAUT L. SCHROEDER died on December 16, 2011, in Gardnerville, Douglas County, Nevada, while a resident of Douglas County, Nevada.

3. Petitioner EMMETT HOOD currently serves as Successor Trustee of THE THIRD AMENDED & RESTATED SCHROEDER FAMILY TRUST dated 3/19/97 ("the Trust"). EMMETT HOOD, as the Successor Trustee of the Trust, shall occasionally be referred to hereinafter as "Seller".

4. Among the assets of the Trust is a single-family dwelling located at 764 Raab Court, Gardnerville, Douglas County, Nevada (hereinafter referred to as "the Parcel"). The Parcel is more particularly described as follows:

Lot 20 as set forth on the Final Map of TILLMAN ESTATES, filed for record in the Office of the County Recorder of Douglas County, State of Nevada, on April 12, 1994, in Book 494, at Page 2192, as Document No. 334956.

Assessor's Parcel No. 1220-21-110-065

5. The Parcel was appraised by Marsha Williams as of December 9, 2012. The appraisal report set a fair market value of \$215,000 for the Parcel as of December 9, 2012.

1           6. It is necessary that the Parcel be sold so the  
2 cash proceeds may be applied to costs and expenses of  
3 administration of the Trust; with the residue to be  
4 distributed to the beneficiaries of the Trust. It is for the  
5 advantage, benefit, and best interest of the Trust, and  
6 those interested therein, that the Parcel be sold.  
7

8           7. Article IV, section 4.1(2) Management Powers,  
9 among other things, vests in the Petitioner, as Trustee of  
10 the Trust, the right "to . . . sell (for cash or on deferred  
11 payments), [and] convey . . . trust property or otherwise  
12 dispose of any of the trust property; . . . ."  
13

14           8. On February 11, 2013, Seller/Petitioner sold the  
15 Parcel at private sale to Charles H. Conarro, a single man  
16 ("the Buyer"). The Standard Residential Purchase Agreement  
17 ("the Purchase Agreement"), among other things, contains an  
18 AS-IS Addendum. The Parcel was sold to the Buyer for the sum  
19 of TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000), this  
20 being the highest and best bid made for purchase of the  
21 Parcel, upon the further terms and conditions governing the  
22 sale as set forth in the Purchase Agreement. The sale  
23 includes the following personal property: refrigerator,  
24 washer and dryer, and formal dining room set (table and  
25 chairs).  
26  
27  
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1           9.    The sale was legally made and fairly conducted.  
2 The sale price of the Parcel is 104.65% of the fair market  
3 value established in the Appraisal performed on December 9,  
4 2012.

5           10. A brokerage commission in the sum of Thirteen  
6 Thousand Five Hundred Dollars (\$13,500), is due in  
7 connection with the sale payable through escrow, half to  
8 McCall Realty and half to RE/MAX Realty Affiliates-Carson  
9 City. By the terms of the sale, at the closing of escrow,  
10 the Trust will also be required to pay a title insurance  
11 premium, the real property transfer tax, and certain  
12 customary closing costs and prorations, all of which  
13 requirements are fair and reasonable.  
14

15           The Court finds and concludes that due notice was  
16 given, and, no person having objected, and the Court having  
17 reviewed the sale documents and carefully considered the  
18 matter, FINDS, CONCLUDES, ORDERS AND DECREES as follows:  
19

20           A.    That the sale so made of the Parcel, namely: the  
21 parcel of improved real property commonly known as 764 Raab  
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1 Court, Gardnerville, Douglas County, Nevada, more  
2 particularly described as follows, to-wit:

3 Lot 20 as set forth on the Final Map of TILLMAN  
4 ESTATES, filed for record in the Office of the  
5 County Recorder of Douglas County, State of  
6 Nevada, on April 12, 1994, in Book 494, at Page  
7 2192, as Document No. 334956.

8 Assessor's Parcel No. 1220-21-110-065  
9 to Charles H. Conarro, a single man, or nominee, for the  
10 sum of TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000),  
11 BE AND THE SAME IS HEREBY CONFIRMED;

12 B. The Court, having inquired of the prospective  
13 Buyer of the Parcel, is satisfied that the Buyer understands  
14 from the Purchase Agreement signed by the Buyer on February  
15 11, 2013, that the Buyer is purchasing the home "as-is";  
16 that the Buyer is thoroughly aware of the condition of the  
17 Parcel having had it professionally inspected; and that the  
18 Buyer is therefore ready, willing, and able to take title to  
19 the Parcel in accordance with the terms of the Purchase  
20 Agreement.

21 C. That the Petitioner is hereby authorized and  
22 directed to execute an appropriate conveyance of the Parcel  
23 to the Buyer, to be delivered through escrow in accordance  
24 with the Purchase Agreement;

25 D. That First American Title Company is authorized  
26 and directed to pay from the sale proceeds at close of  
27 escrow the contractually obligated fees and costs of Seller  
28 associated with the closing of escrow, including without  
limitation the above-noted real estate commissions; and

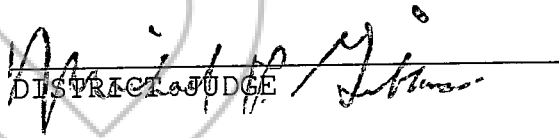




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E. That First American Title Company is directed to make the net proceeds check payable to EMMETT HOOD, as Successor Trustee of THE THIRD AMENDED & RESTATED SCHROEDER FAMILY TRUST AGREEMENT dated 3/19/97, as amended, to be deposited in a blocked trust account in a Douglas County, Nevada, depository, with disbursements therefrom to be made only in accordance with a further order of this Court in the above-entitled proceeding.

DONE IN OPEN COURT this 11 day of March, 2013.

  
DISTRICT JUDGE

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

**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 3/11/13  
TED THРАН Clerk of the 9th Judicial District Court  
of the State of Nevada, in and for the County of Douglas.

By  Deputy