

APN 1220-21-110-057

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DOC # **820640**  
03/26/2013 09:17AM Deputy: AR  
**OFFICIAL RECORD**  
Requested By:  
First American Title Mindel  
Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 5 Fee: \$18.00  
BK-313 PG-6672 RPTT: 0.00



FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT: ORDER CONFIRMING TRUSTEE

WHEN RECORDED MAIL TO:

George M. Keel Esquire  
1692 COUNTY Rd. #A.  
Minden, NV. 89423

RECEIVED

MAR 11 2013

DOUGLAS COUNTY  
DISTRICT COURT CLERK

FILED

1 Case No. 13-PB-0016

2 Dept. II

2013 MAR 11 PM 2:05

TED THUAN  
CLERK

BY B. GREGORY DEPUTY

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

10 IN THE MATTER OF THE TRUST

11 OF

ORDER CONFIRMING TRUSTEE

12 KARL SCHROEDER and  
13 WALTRAUT SCHROEDER,

14 Grantors.

15 \_\_\_\_\_ /  
16 THIS CAUSE comes before the above-entitled Court on the  
17 Petition for Confirmation of Trustee filed herein by EMMETT  
18 HOOD. After reviewing all of the pleadings, documents, and  
19 records on file herein, and good cause appearing, the Court  
20 finds as follows:

21  
22 1. By instrument dated March 19, 1997, KARL SCHROEDER  
23 and WALTRAUT L. SCHROEDER, as Grantors and Trustees,  
24 executed THE SCHROEDER FAMILY TRUST AGREEMENT. On November  
25 30, 2000, Grantors and Trustees executed a Third Amended &  
26 Restated Schroeder Family Trust Agreement. On February 4,  
27 2011, sole surviving Grantor and Trustee WALTRAUT L.  
28



1 SCHROEDER executed the First Amendment to the Third Amended  
2 & Restated Schroeder Family Trust Agreement dated 3/19/97.

3  
4 2. Subparagraph 2.2.B of Article II of The Third  
5 Amended & Restated Schroeder Family Trust Agreement, as  
6 amended ("the Restated Trust Agreement, as amended"),  
7 provides that, upon the resignation of KARL SCHROEDER and  
8 WALTRAUT L. SCHROEDER, or upon their inability to act as  
9 Trustees of The Restated Trust, as amended, EMMETT HOOD is  
10 to serve as sole Successor Trustee of all trusts provided  
11 for in the Restated Trust Agreement, as amended. Said  
12 subparagraph 2.2.B of Article II of the Restated Trust  
13 Agreement, as amended, has not been further amended.  
14

15 3. KARL SCHROEDER died on September 24, 2004, in  
16 Gardnerville, Nevada, while a resident of Douglas County,  
17 Nevada; and WALTRAUT L. SCHROEDER died on December 16, 2011,  
18 in Gardnerville, Nevada, while a resident of Douglas County,  
19 Nevada.  
20

21 4. THE SCHROEDER FAMILY TRUST AGREEMENT of 3/19/97,  
22 as restated and amended, has been domiciled in Douglas  
23 County, Nevada, since its creation.  
24

25 5. On December 30, 2011, Emmett Hood executed the  
26 Certificate of Sole Successor Trustee, thereby agreeing to  
27 serve as sole Successor Trustee of THE SCHROEDER FAMILY  
28 TRUST AGREEMENT of 3/19/97, as restated and amended.



1           6. The Restated Trust Agreement, as amended, provides  
2 that the Trustee has the power to sell real property of the  
3 Restated Trust Agreement, as amended; therefore, Petitioner  
4 has entered into a Standard Residential Purchase Agreement  
5 and Addendum dated February 13, 2013, which, among other  
6 things, conditions the sale to a prospective Buyer of the  
7 single-family home at 764 Raab Court, Gardnerville, Douglas  
8 County, Nevada 89460, on the confirmation by this Court of  
9 such sale.  
10

11           7. Petitioner desires to receive the Court's  
12 confirmation of the proposed sale for the purposes of (1)  
13 allowing the Court to provide notice in open Court to the  
14 prospective Buyer of the referenced parcel that, by  
15 purchasing the Parcel "as is," the Buyer assumes  
16 responsibility to perform his own due diligence to confirm  
17 that the Parcel is fit for purchase and occupancy;  
18 therefore, the Buyer should be prepared to acknowledge on  
19 the record to the Court that Buyer is aware of the condition  
20 of the Parcel and is ready, willing, and able to take title  
21 to the parcel "as is," with no one to blame but himself if  
22 the property is different from what the Buyer was expecting;  
23 and (2) to verify that the beneficiaries of the Trust are  
24 receiving fair value for the real property being sold by the  
25 Trustee.  
26  
27  
28



1 NOW, THEREFORE, pursuant to section 164.011 of the  
2 Nevada Revised Statutes, and good cause appearing, IT IS  
3 HEREBY ORDERED as follows:  
4

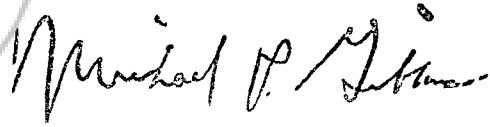
5 A. EMMETT HOOD is hereby confirmed as Successor  
6 Trustee of THE SCHROEDER FAMILY TRUST dated 3/19/97, as  
7 amended and restated; and

8 B. The Trustee shall qualify by taking the oath set  
9 forth hereinafter:

10 I, EMMETT HOOD, whose mailing address is 3848 East  
11 Farmdale Avenue, Mesa, Arizona 85206, solemnly  
12 affirm that I will faithfully perform according to  
13 law the duties of Trustee, and that all matters  
14 stated in any petition or paper filed with the  
15 court by me are true of my own knowledge or, if  
16 any matters are stated on information and belief,  
17 I believe them to be true.

18 C. Letters of Express Trust shall be issued to EMMETT  
19 HOOD, upon his taking the oath required by law, upon his  
20 posting bond in the amount of \$ 0.

21 DATED this 11 day of March, 2013.

22   
DISTRICT JUDGE

23 SUBMITTED BY:  
24 George M. Keele, Esq.  
25 Nevada Bar No. 1701  
26 Attorney for Petitioner  
1692 County Road, Suite A  
Minden, NV, 89423

27 **CERTIFIED COPY**

28 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.

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

DATE 3/11/13  
TED THRAN Clerk of the 9th Judicial District Court 4  
of the State of Nevada, in and for the County of Douglas.

