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BY DEPUTY

1 CASE NO. 11-PB-0040

2 DEPT. NO. II

3
4 The undersigned affirms
5 that this document contains
6 no Social Security Number

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

9 In the Matter of the Estate

10 -of-

11 DAN BALLARD,

12 Deceased.

ORDER CONFIRMING SALE OF REAL
PROPERTY AND PAYMENT OF COSTS

13 _____ /
14 **THIS MATTER** was brought on before the Court on the 3rd day of
15 June, 2013, on the Verified Petition for Confirmation of Sale of Real
16 Property and Payment of Costs ("Petition"), which was filed with the
17 Court on 10 May 2013 by CLAUDETTE SPRINGMEYER, Douglas County Public
18 Administrator ("Administrator"). Also filed with this Court on 10
19 May 2013 is a Notice of Sale which had been filed by the
20 Administrator advising that the real property and improvements of the
21 Decedent would be sold at the hour of 1:30 o'clock p.m. on 3 June
22 2013. The Notice of Hearing conducted on 3 June 2013 was also filed
23 with the Court on 10 May 2013. Proof and Statement of Publication of
24 the Notice of Sale was filed in open Court on 3 June 2013 which
25 proves that publication of the Notice of Sale occurred on 15, 22 and
26 27 24 May 2013.
28

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1 Present in Court were the Administrator and MICHAEL SMILEY
 2 ROWE, ESQ. of ROWE HALES YTURBIDE, LLP, counsel for the Administrator
 3 and the estate. Also present were Marleane Scott of M. Scott
 4 Properties, Inc. and Lori Raschilla of Century 21 Clark Properties.
 5 Based upon the Petition on file herein, all previous pleadings filed
 6 in this estate, together with the representations made in open Court
 7 at the hearing on the Petition, the Court hereby finds and orders as
 8 follows:
 9

10 1. The property which is the subject of this order, the sale
 11 of which is hereby confirmed, is 1483 Kathy Way, Gardnerville,
 12 Douglas County, Nevada. This property has been assigned Douglas
 13 County Assessor's Parcel No. 1220-22-410-108 (hereinafter referred to
 14 as the "Property").
 15

16 2. The Court finds that an appraisal has been performed on
 17 the subject Property. A copy of the real estate appraisal was
 18 submitted as Exhibit "A" to the Supplemental Inventory filed on 18
 19 April 2013. The appraised value of the real property and
 20 improvements of the Decedent is \$170,000.00 as of 15 April 2013.
 21

22 3. The Administrator, through her listing agent, M. Scott
 23 Properties, Inc., has marketed the property of the Decedent. The
 24 result of such efforts has been an offer in the amount of ONE HUNDRED
 25 SEVENTY FIVE THOUSAND DOLLARS (\$175,000.00) containing the following
 26 terms:

27 / / /
 28 / / /



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1 Purchase price: \$175,000.00
 2 Deposit: \$ 5,000.00
 3 Balance of Cash Payment: \$105,000.00
 4 New First Loan (conventional) \$65,000.00
 5 Title Company, Escrow Split 50/50;
 6 costs & Transfer Taxes: Western Title Co.
 7 Buyer's funding: Cash/New Loan
 8 Title Insurance: Split 50/50
 9 Offer is an "as is, court approved sale"; no warranties or
 10 guaranties.
 11 Buyer to pay for all inspections desired.
 12 Close of escrow on or before 14 days of Court approval

13 4. At the date, time and place of the sale and hearing,
 14 Ronald Neil Pedersen was present in Court.

15 5. This Court enters an order confirming the sale of the
 16 Property to Ronald Neil Pedersen, subject to the terms of the offer
 17 set forth hereinabove in paragraph 3, together with the following
 18 conditions:

- 19 • Pursuant to Addendum No. One and Addendum No. Two, copies
 20 of which were presented to the Court at the time of the
 21 hearing, the buyer, Ronald Neil Pedersen, has waived any
 22 inspections pursuant to Paragraphs 23-A and 23-G as set
 23 forth in the Standard Residential Agreement.
- 24 • This transaction shall close not later than 5:00 p.m., 17
 25 June 2013, or on or before 14 days of Court approval.

26 6. The Administrator has represented that she has sent a
 27 Notice of Sale for publication in the Record Courier, a newspaper of
 28 general circulation within Douglas County, Nevada. The Administrator
 requested that the notice be published on 15, 22 and 24 May 2013. An
 affidavit of publication has been received by the Administrator, with
 the original Proof and Statement of Publication filed in open Court



1 on 3 June 2013 which demonstrates that the Notice of Sale has
2 properly published pursuant to NRS 148.220 and NRS 148.240.

3 The Court concludes as a matter of law that due and proper
4 notice of the sale of the Property and the Court's hearing on the
5 Petition to confirm the sale of real property have been given as
6 required by law. The Notice of Sale was published as required by
7 law.

8 7. The Court concludes as a matter of law that it has
9 jurisdiction to confirm the sale of the Property in view of the
10 Administrator's compliance with all applicable statutes. The
11 procedure governing confirmation of this sale is set forth in NRS
12 148.260 and NRS 148.270.

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

16 8. The Court concludes and so finds that it is necessary for
17 the estate to sell the Property of the Decedent, and that the estate
18 will realize an advantage, benefit and interest in having the sale
19 made. Good reason exists for the sale, the sale has been legally
20 made and fairly conducted, the sale complies in all respects with the
21 requirements of NRS 148.270, and the sum bid is not disproportionate
22 to the Property value.

23 Based upon the above-stated findings of fact and conclusions of
24 law, and good cause appearing:

25 **IT IS HEREBY ORDERED** that, pursuant to the Standard Residential
26 Purchase Agreement, Counteroffer and Addenda Nos. 1 and 2, the sale
27
28

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1 of the real property and improvements owned by the Decedent to Ronald
2 Neil Pedersen in the amount of ONE HUNDRED SEVENTY-FIVE THOUSAND
3 DOLLARS (\$175,000.00) be, and the same is hereby, confirmed upon the
4 following terms and provisions:

5 Purchase price: \$175,000.00
6 Deposit: \$ 5,000.00
7 Balance of Cash Payment: \$105,000.00
8 New First Loan (conventional) \$65,000.00
9 Title Company, Escrow Split 50/50;
10 costs & Transfer Taxes: Western Title Co.
11 Buyer's funding: Cash/New Loan
12 Title Insurance: Split 50/50
13 Offer is an "as is, court approved sale"; no warranties or
14 guaranties.
15 Buyer to waive all inspections desired.
16 Close of escrow on or before 14 days of Court approval

17 **BE IT FURTHER ORDERED** that the request of the Administrator
18 that this Court approve of her payment of one-half of the closing
19 costs as set forth in the Petition, and that the Court approve of her
20 payment of a real estate commission of 6% (3% of the accepted price
21 to the listing agent, M. Scott Properties, Inc.; 3% of the accepted
22 price to the selling broker, Century 21 Clark Properties) is granted.

23 It is the order of the Court that the Administrator may pay the
24 described share of closing costs and the real estate commissions.

25 **BE IT FURTHER ORDERED** that the Administrator may execute such
26 instruments of conveyance as are necessary to convey the Decedent's,
27 Dan Ballard, rights, title and interest in and to the Property to

28 / / /
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1 Ronald Neil Pedersen for the offered sum of \$175,000.00 subject to
2 the terms and provisions of this Order.

3 DATED this 3 day of June, 2013

MICHAEL P. GIBBONS
DISTRICT COURT JUDGE.

4
5 ~~ROWE HALES YTURBIDE, LLP~~

6
7 MICHAEL SMILEY ROWE, ESQ.
8 Nevada State Bar No. 1374
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12 Attorney for the Petitioner

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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 6/3/13

TED THРАН Clerk of the Judicial District Court
of the State of Nevada, in and for the County of Douglas.

By [Signature] Deputy