

DOUGLAS COUNTY, NV

2016-877827

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03/07/2016 11:24 AM

ETRCO, LLC

KAREN ELLISON, RECORDER

APN# : 1220-17-810-009

Recording Requested By:

Western Title Company, Inc.

Escrow No.: 077248-TEA

When Recorded Mail To:

Claudette Springmeyer

Douglas County

P.O. Box 1059

Minden, NV 89423

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons.

(Per NRS 239B.030)

Signature _____

Traci Adams

Escrow Officer

Order Confirming Sale of Real Property and Payment of Costs

This page added to provide additional information required by NRS 111.312
(additional recording fee applies)

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Douglas County
District Court Clerk

WILLIAMS
CLERK
M. BIAGGINI
PUTY

1 CASE NO. 15-PB-0068

2 DEPT. NO. II

3
4 *The undersigned affirms that this document
does not contain a Social Security Number*

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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 of:

**ORDER CONFIRMING SALE OF REAL
PROPERTY AND PAYMENT OF COSTS**

10 Richard Fredrick Walters,

11 Deceased.

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Rowe Hales Yturbide
Attorneys At Law

15 **THIS MATTER** came on before the Court on the 29th day of February, 2016, on the Petition
16 for Confirmation of Sale of Real Property and Payment of Costs ("Petition") filed by CLAUDETTE
17 SPRINGMEYER, Douglas County Public Administrator and the Court-appointed Administrator
18 ("Administrator") of the above-referenced estate. Present in Court were the Administrator, together
19 with her counsel, MICHAEL SMILEY ROWE, ESQ. of ROWE HALES YTURBIDE, LLP.

21 Based upon the Petition, the Notice of Private Sale, the Notice of Hearing, all of which were
22 filed on 4 February, 2016, all previous pleadings filed in this estate, together with the representations
23 made in open Court at the hearing on the Petition, the Court hereby finds and orders as follows:

24 1. This Court's file contains a Proof and Statement of Publication of the Notice of Private
25 Sale and Hearing to Confirm Sale which was filed 24 February, 2016 ("Notice"). The publication of
26 the Notice occurred on 7 February 2016, 14 February 2016, and 21 February 2016. The Court finds and
27 concludes that the requirements of NRS 148.220 have been met by the Administrator.
28

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1 2. The property which is the subject of this Order, the sale of which is hereby confirmed,
2 is commonly known as 1121 Oro Way, Gardnerville, Nevada 89460. This property has been assigned
3 Douglas County Assessor's Parcel No. 1220-17-810-009.

4 3. The Administrator advised the Court that a date of death appraisal has been performed
5 on the property pursuant to NRS 144.020 and NRS 144.030. The Administrator and her broker have
6 relied on the appraisal report attached to the Administrator's Verified Inventory and Appraisal of
7 Property filed 4 November 2015 as Exhibit "C". The appraiser opined that the value of the Decedent's
8 property as of his date of death was \$285,000.00.

9 4. The Administrator, through her listing agent Cole Smith of Sierra Nevada Realty
10 Group, has marketed the property of the Decedent. The result of such efforts has been an offer in the
11 amount of Two Hundred Seventy Thousand Dollars (\$270,000.00) containing the following terms:
12

13 Purchase price: \$270,000.00
14 Deposit: \$ 1,000.00
15 Deposit Increased
16 with Waiver of Inspection: \$ 5,000.00
17 Balance of Cash Payment: \$265,000.00
18 Title Company, Escrow
19 Costs: Split 50/50
20 Transfer Tax: Split 50/50
21 Buyers' funding: New first loan for balance of purchase price \$200,000.00
22 Title Insurance: Owner's Policy paid by Seller; Lenders Policy paid by Buyers
23 Offer is an "as is, court approved sale"; no warranties or guaranties.
24 Buyers to pay for all inspections desired or waive inspections.
25 Escrow to close ten days after Court approval.

26 Attached as Exhibit "A" to the Petition was a copy of the Residential Offer and
27 Acceptance Agreement and Counter Offer ("Agreement"). The Court's attention was directed to the
28 Counter Offer signed by the proposed buyers and the Administrator which acknowledged that the
buyers are aware that this sale is contingent upon the Court's approval. The Court's attention was also
directed to Exhibit "A", specifically the Counter-Offer, line 7, wherein it is noted that the buyers are
aware that the Agreement would convey the Decedent's property in an "As Is" condition.

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The Buyers have waived all contingencies.

Based upon the above and foregoing, the Administrator requested that the sale of the real property and improvements owned by the Decedent to Dennis Murphy and Mark Josifko for the purchase price of \$270,000.00 be confirmed.

5. No other parties appeared at the time of the sale or confirmation hearing to offer to purchase the property.

6. Based upon the Agreement attached to the Petition as Exhibit "A", this Court enters an order confirming the sale of the property to Dennis Murphy and Mark Josifko subject to the terms of the offering set forth hereinabove.

7. The Administrator is authorized to execute such instruments as may be necessary to convey the Decedent's interest in the property to Dennis Murphy and Mark Josifko.

8. The Court hereby ratifies, confirms and approves of the Administrator's payment of a 6% real estate commissions, 3% to Cole Smith of Sierra Nevada Realty Group (Seller) and 3% to Alex Seghieri/Sandi Smith of RCM Realty Group Downtown (Buyers).

9. It is also ordered by the Court that the Administrator may, to the extent she is required to do so, pay such funds as are required by the terms of the sale which are set forth in the Petition. For example, title company and escrow costs are to be shared 50/50. It is the order of the Court that the Administrator may pay any of the costs of the seller as such costs are set forth in the Petition and its Exhibit "A".

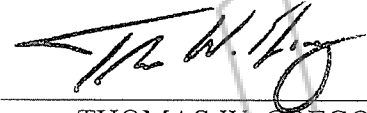
10. The Court hereby enters its order ratifying, confirming and approving of each, every and all of the actions taken by the Administrator in listing, and now selling, the Decedent's property. Further, the Court ratifies, confirms and approves of each and every of the terms of the purchase of the

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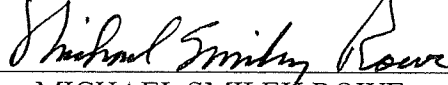
1 Decedent's property as set forth in the Petition for Confirmation of Sale of Real Property and Payment
2 of Costs.

3 DATED this 29 day of February, 2016.

4 

5 THOMAS W. GREGORY
6 DISTRICT COURT JUDGE

7 **ROWE HALES YTURBIDE, LLP**

8 

9 MICHAEL SMILEY ROWE
10 Nevada Bar Number 1374
11 P.O. Box 2080
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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 2/29/16

BOBBIE R. WILLIAMS, Clerk of Court
of the State of Nevada, in and for the County of Douglas,

By  Deputy