

APN# : 1022-10-002-080

Recording Requested By:
Western Title Company, LLC
Escrow No.: 093349-WLD

When Recorded Mail To:
Dennis Mestynek
36 Giorgi Lane
Yerington, NV 89447

Mail Tax Statements to: (deeds only)

(space above for Recorder's use only)

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


Wendy Dunbar

Escrow Officer

Order Confirming Sale of Real Property

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

FILED

1 Case No. 17-PT-01381

2018 JUN 18 AM 10:44

2 Dept. No. 1

TANYA SCEIBINE
COURT ADMINISTRATOR
THIRD JUDICIAL DISTRICT

Victoria Tovar
DEPUTY

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IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

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IN AND FOR THE COUNTY OF LYON

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In the Matter of the Guardianship of

9

- The Person only
 The Estate only
 The Person and the Estate

10

Virginia L. Mestyaneck,
DOB: 06/11/1938

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12

A Protected Person /

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ORDER CONFIRMING SALE OF REAL PROPERTY

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On June 18, 2018, the Guardian's Petition to Confirm Sale of Real Property was heard. Present in court was Dennis K. Mestyaneck, represented by John C. Smith, his attorney. Also appearing was Anne Laughlin, attorney for the Protected Person.

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John Smith represented that the real property had been appraised within the last year resulting in a valuation of \$178,500.00. The amount being offered for the property, together with the terms and conditions included in the petition, is \$175,000.00, which is 98% of the appraised amount.

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It was stated that anyone wishing to bid on the property would need to be prepared to pay cash for their bid, and a minimum amount of \$180,000.00 (being \$5,000.00 over the present offer amount) would need to be made to "upset" the current offer.

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1 The Court then inquired whether there were any persons present who desired to
2 bid on the real property.

3 No one came forward to bid, so the sale price and terms were confirmed.

4 The file includes proof that due notice of this hearing was given as required by
5 law; that the sale was legally made and fairly conducted; that the property was
6 appraised within one year prior to the sale; and that the bid price represented the fair
7 market value of the property sold.

8 The requested attorney's fees and costs are reasonable; it is appropriate and in
9 the best interest of the Protected Person and her spouse that the Court enter its Order
10 authorizing the Guardian to fund the spousal resource allowance of the community
11 spouse to the fullest extent possible; and

12 That no party has the standing to appeal.

13 GOOD CAUSE APPEARING,

14 IT IS HEREBY ORDERED as follows:

15 1. The property was owned by Virginia L. Mestynek, the Protected Person
16 in this matter, and her spouse and Co-Guardian, Dennis K. Mestynek;

17 2. The sale of the real property described below, to Adam J. Graf for the
18 sum of One Hundred Seventy-Five Thousand Dollars (\$175,000.00), under the terms
19 and conditions as follows, is hereby confirmed:

20 a) \$1,000.00 earnest money deposit;

21 b) \$34,000.00 additional cash as down payment at closing;

22 c) New first mortgage proceeds in the amount of \$140,000.00;

23 c) Seller shall pay for: Standard owner's policy of title insurance, ½ of the
24 standard escrow fee, ½ of the transfer taxes, any bonds and assessments on

1 the property; septic pumping and septic lid location/removal;

2 e) Buyer shall pay for: Standard lender's policy of title insurance, ½ of the
3 standard escrow fee, ½ of the transfer taxes, the appraisal cost, and home
4 inspection, septic inspection, and woodburning device inspection costs.

5 f) This is an "as-is" sale, and as such the Seller will not be paying for any
6 repair costs. Buyer agrees and accepts the property in its "as is" condition,
7 without any repairs;

8 g) Buyer is aware that the purchase of the property in the Offer and
9 Acceptance agreement is subject to court approval with the right of other parties
10 to "overbid" according to statute;

11 h) Closing of this sale shall occur not sooner than ten (10) judicial days after
12 the filing of a notice of entry of order.

13 5. The real property being sold is situated in Douglas County, Nevada, and
14 is described as follows:

15 Address = 3923 Topaz Ranch Dr., Wellington, Nevada

16 Assessor's Parcel Number: 1022-10-002-080

17 Lot 180, as shown on the map of TOPAZ RANCH ESTATES UNIT NO. 2,
18 as filed in the office of the County Recorder of Douglas County, Nevada on
19 February 20, 1967, in Book 1 of Maps as Document No. 35464, Official
20 Records.

21 And that certain 1974 Champion 57 x 14 foot mobile home located thereon.

22 6. The Court authorizes the payment of a total real estate commission of
23 6%, to be distributed to the buyer's agent, Margaret Finel, Realtor, of Re/Max
24 Professionals Reno realty, in the amount of three percent (3%), and to the seller's
agent, Steven A. Bohler, Realtor of Pinion Pines Realty, in the amount of three percent

1 (3%).

2 7. Dennis K. MestyaneK, individually and as Co-Guardian, and Gary R.
3 MestyaneK, as Co-Guardian, are authorized and directed to sign the necessary
4 documents to complete the sale;

5 8. The Court authorizes the payment of any other necessary cost and/or
6 expenses related to the sale (to include but not be limited to the other closing costs and
7 prorations incident to such sales through a proper escrow established for such
8 purposes).

9 2. That attorney's fees in connection with this sale in the amount of
10 \$3,698.36, are approved for payment to John C. Smith, counsel for the Co-Guardians,
11 and shall be paid to John C. Smith, Esq. from escrow.

12 IT IS SO ORDERED this 18th day of June, 2018.

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DISTRICT JUDGE

15 Submitted by:

16 John C. Smith
17 499 W. Plumb Lane, Ste. 202
18 Reno, NV 89509
19 775.324.9100
20 Attorney for the Guardians

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CLRTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

Date: June 18, 2018

Tanya Sceirine, Court Administrator
Third Judicial District Court of the State
of Nevada, in and for Lyon County.

By Victoria Toran
Deputy