

DOUGLAS COUNTY, NV

2019-931137

Rec:\$35.00

\$35.00

Pgs=5

06/28/2019 03:06 PM

TICOR TITLE - GARDNERVILLE

KAREN ELLISON, RECORDER

APN # 1220-04-101-028

The undersigned hereby affirms that this document submitted for recording does not contain the social security number of any person or persons.  
(Pursuant to NRS 239b.030)

Recording Requested by and Return to:

TICORTITLE OF NEVADA, INC.  
1483 US Highway 395 N, Suite B

Gardnerville, NV 89410

*Order Confirming Sale of Real  
Property*

---

(Title on Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2 (Additional recording fee applies).

This cover page must be typed or printed clearly in black ink only.

**RECEIVED**

**JAN 07 2019**

Douglas County  
District Court Clerk

**FILED**

**2019 JAN -7 PM 3: 37**

BOBBIE R. WILLIAMS  
CLERK

BY **D. GOELZ** DEPUTY

1 CASE NO. 18-PB-0103

2 DEPT. NO. II

3 *The undersigned affirms that this document DOES NOT*  
4 *contain a Social Security Number and personal information.*

5  
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 Estate  
10 of  
11 WALTER NEAL MOLINE  
12 Deceased.

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

13  
14 \_\_\_\_\_ /  
15  
16  
17 **THIS MATTER** came on before the Court on the 7<sup>th</sup> day of January 2019, on the Verified  
18 Petition for Confirmation of Sale of Real Property and Payment of Costs ("Petition") filed by  
19 DAVIDNEAL MOLINE, the Executor ("Executor") and the Court-appointed Personal Representative  
20 of the above-referenced estate. Present in Court was the Executor's counsel, MICHAEL S. ROWE,  
21 ESQ.

22 Based upon the Petition and the Notice of Private Sale; Notice of Hearing to Confirm Sale,  
23 both of which were filed on 11 December 2018, and all previous pleadings filed in this estate, together  
24 with the representations made in open Court at the hearing on the Petition, the Court hereby finds and  
25 orders as follows:

26 1. A Proof and Statement of Publication of the Notice of Private Sale; Notice of Hearing

27 ///  
28

Mailing Address  
P.O. Box 2080  
Minden, NV 89423  
Facsimile (775)782-3685

Law Office of Michael S. Rowe  
Attorney At Law

Physical Address  
1638 Esmeralda Street  
Minden, NV 89423  
(775) 782-8141

Mailing Address  
P.O. Box 2080  
Minden, NV 89423  
Facsimile (775)782-3685

Law Office of Michael S. Rowe  
Attorney At Law

Physical Address  
1638 Esmeralda Street  
Minden, NV 89423  
(775) 782-8141

1 to Confirm Sale which was filed on 4 January 2019. The publication of the Notice of Private Sale;  
2 Notice of Hearing to Confirm Sale occurred on 15 December, 22 December and 29 December 2018.  
3 Thus, the Court finds and concludes that the requirements of NRS 148.220 have been met by the  
4 Executor.

5 2. The Douglas County property which is the subject of this Order, the sale of which is  
6 hereby confirmed, is commonly known as 1382 North Hwy 395, Gardnerville, Nevada, 89410.  
7 The property is located in Douglas County, Nevada. The property has been assigned Douglas County  
8 Assessor's Parcel No: 1220-04-101-028.

9  
10 3. The Executor advised the Court that an appraisal was not performed on the property.  
11 Both the Executor and Dawn E. McCoy have requested that, pursuant to NRS 144.020(4), the Court  
12 waive appraisal of the real property and improvements and rely on the verified record of value  
13 prepared by John Fischer, Broker of ReMax Realty Affiliates, which opined the property being sold  
14 possessed a value of \$640,000 . A copy of Mr. Fischer's opinion was attached to the Inventory as  
15 Exhibit C.

16  
17 4. The Executor, through his listing agent Amanda Moline of ReMax Realty Affiliates,  
18 Gardnerville, Nevada, has received an offer from JCM Investments, LLC in the amount of SIX  
19 HUNDRED FIFTY THOUSAND AND NO CENTS (\$650,000.00) containing the following terms:

20		
21	Purchase price:	\$650,000.00
22	Deposit:	\$5,000.00
23	Additional Deposit:	\$20,000.00
	(Within 2 days of Court approval)	
24	Title Company, Escrow Costs:	50% Paid by Seller/50% Paid by Buyer
25	Transfer Tax:	50% Paid by Seller/50% Paid by Buyer
26	Buyers' funding:	Cash
	Title Insurance:	Owner's Policy paid by Seller
		Lender's Policy paid by Buyers

27 Offer is an "as is, court approved sale"; no warranties or guaranties.  
28 Buyers to pay for all inspections desired or waive inspections.  
Escrow to close on or before 22 January 2019, if Court approves.

Mailing Address  
P.O. Box 2080  
Minden, NV 89423  
Facsimile (775)782-3685

Law Office of Michael S. Rowe  
Attorney At Law

Physical Address  
1638 Esmeralda Street  
Minden, NV 89423  
(775) 782-8141

1 Attached as Exhibit A to the originating Petition was a copy of the Commercial/Investment  
2 Property Purchase Agreement and Counter Offer (“Agreement”). As an additional term and condition  
3 identified in Exhibit A, the Buyers agreed that the sale is subject to court approval, and that upon the  
4 approval of any inspections, Buyers agree to accept the property “AS-IS, WHERE-IS”.

5 Based upon the above and foregoing, the Executor requested that the sale of the real  
6 property and improvements owned by the Decedent to JCM Investments, LLC for the purchase price  
7 of \$650,000 be confirmed.

8  
9 5. At the time of the hearing, no one else appeared at the hearing to purchase the property.

10 6. Based upon the Agreement attached to the Petition as Exhibit A, this Court enters an  
11 order confirming the sale of the property to JCM Investments, LLC subject to the terms of the offering  
12 set forth hereinabove.

13  
14 7. The Court hereby ratifies, confirms and approves of the Executor’s payment of a real  
15 estate commission in the amount of 2.75% of the accepted price as set forth in the Agreement.

16 8. It is also ordered by the Court that the Executor may, to the extent he is required to do  
17 so, pay such funds as are required by the terms of the sale which are set forth in the Petition. For  
18 example, title company and escrow costs are to be paid one-half by the Seller. It is the order of the  
19 Court that the Executor may pay any of the costs of the seller as such costs are set forth in the Petition  
20 and Exhibit A thereto.

21  
22 ///

23 ///

24 ///

25 ///

26 ///

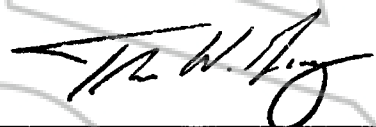
27 ///

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

9. The Court hereby enters its order ratifying, confirming and approving of each, every and all of the actions taken by the Executor 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 Decedent's property as set forth in the Petition for Confirmation of Sale of Real Property and Payment of Costs.

DATED this 7<sup>th</sup> day of January, 2019.



THOMAS W. GREGORY  
DISTRICT COURT JUDGE

Submitted by



MICHAEL SMILEY ROWE  
Nevada Bar Number 1374  
1638 Esmeralda  
Minden, Nevada 89423  
(775) 782-8141  
Attorney for the Petitioner

Mailing Address  
P.O. Box 2080  
Minden, NV 89423  
Facsimile (775)782-3685

Law Office of Michael S. Rowe  
Attorney At Law

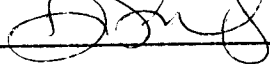
Physical Address  
1638 Esmeralda Street  
Minden, NV 89423  
(775)782-8141

**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 January 7, 2019

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

By  Deputy