

DOUGLAS COUNTY, NV

2020-946293

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ETRCO

KAREN ELLISON, RECORDER

APN# : 1220-10-811-003

Recording Requested By:

Western Title Company, LLC

Escrow No.: 114395-SLA

When Recorded Mail To:

Joyce Mayer

P.O. Box 2144

Gardnerville, NV 89410

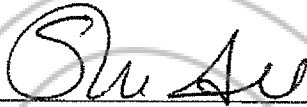
Mail Tax Statements to: (deeds only)

(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 _____



Sherry Ackermann

Escrow Officer

Order Approving and Confirming Sale of Real Property

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

RECEIVED

FILED

Case No. 19-PB-0127

MAY - 4 2020

Dept. II

Douglas County
District Court Clerk

2020 MAY -4 PM 4:21

The undersigned affirms that this document does not
contain personal information, pursuant to NRS 603A.040

BOBBIE R. WILLIAMS
CLERK

BY *[Signature]* DEPUTY

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

* * * * *

In the Matter of the Estate of:
DONALD S. BALLENSKY,
Deceased.

ORDER APPROVING AND
CONFIRMING SALE OF REAL
PROPERTY

THIS MATTER came before the Court on May 4, 2020, at 1:30 p.m., the time set for hearing upon the *Petition to Confirm Sale of Real Property* (herein "Petition"), filed with the Court on April 22, 2020, by JOYCE A. MAYER, duly appointed Personal Representative of the Estate of Donald S. Ballensky.

THE COURT, having reviewed the Petition and the Exhibits attached thereto and having heard from all interested persons appearing at the hearing, hereby enters its FINDINGS OF FACT and CONCLUSIONS OF LAW as follows:

1. That DONALD S. BALLENSKY (hereinafter "Decedent"), passed away on July 9, 2019 in Gardnerville, Nevada;
2. That on December 16, 2019, the Court entered the *Order Admitting Will to Probate and for Issuance of Letters Testamentary*, appointing JOYCE A. MAYER as Personal Representative of the Estate (hereinafter "Personal Representative");
3. That Decedent was at the date of his death a resident of Douglas County, State of Nevada, and left real property located at 1028 Riverview Drive, Gardnerville, Nevada 89460 (herein "Real Property");

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1 4. That the Real Property is subject to a Reverse Mortgage Note secured by a
2 Deed in Trust in favour of American Advisors Group ("AAG");

3 5. That on February 15, 2020, Personal Representative executed an Exclusive
4 Right to Sell Contract (herein "Listing Agreement") with broker Colleen Campbell of
5 Coldwell Banker Select Real Estate;

6 6. That the Real Property was listed for sale on February 20, 2020;

7 7. That a Comparable Market Analysis was prepared by Colleen Campbell of
8 Coldwell Banker Select Real Estate on March 10, 2020. The Comparative Market
9 Analysis provides that the average sales price for comparable property in the area is
10 \$354,515., at an average price per square foot of \$242.32;

11 8. That Personal Representative received an offer on April 5, 2020 from
12 Richard Howard and Barbara Howard, Trustees of The Howard Family Trust (the
13 "Buyers") to purchase the Real Property for the sum of \$350,000;

14 9. That the Residential Offer and Acceptance Agreement for purchase of Real
15 Property between Personal Representative and Buyers was entered into on March 10,
16 2020;

17 10. That the Reverse Mortgage Note is now in default and the 15-day Notice of
18 Foreclosure Sale may be recorded at any time;

19 11. That on April 22, 2020, Petitioner filed her *Petition to Shorten Time and*
20 *Number of Publications Regarding Notice of Sale* to reduce the number of publications
21 necessary to confirm sale;

22 12. That Petitioner filed her *Notice of Sale of Real Property* on April 22, 2020
23 providing that the sale of the real property would be conducted at 1:30 p.m. on May 4,
24 2020;

25 13. That the Notice of Sale was published with The Record Courier on April 25,
26 2020;

27 14. That on April 22, 2020, Petitioner filed her *Petition to Confirm Sale of*
28 *Property*;

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1 15. That on April 22, 2020, Petitioner filed and served her *Notice of Hearing*
2 therein setting a hearing upon the *Petition to Confirm Sale of Real Property* to occur at
3 1:30 p.m. on May 4, 2020;

4 16. That the terms of the *Residential Offer and Acceptance Agreement; Counter*
5 *Offer #1; and Addendum-"As Is" Sale*; and all disclosures and statements appear to be
6 reasonable, and the price is not disproportionate to the value of the property;

7 17. That due notice of sale of real property has been given as required by law,
8 and all of the allegations of the *Petition* are true;

9 18. That the sale of the property has been conducted in a legal and fair manner
10 and good reason exists for the sale of the property;

11 19. That it is in the best interests of the Estate to sell the real property to the
12 Buyers at the agreed upon price and upon agreed terms as contained in the *Residential*
13 *Offer and Acceptance Agreement; Counter Offer #1; and Addendum-"As Is" Sale*
14 attached as Exhibits to the *Petition to Confirm Sale of Real Property*;

15 20. That it is in the best interests of the Estate that a hearing on the *Petition*
16 *for Confirmation of Sale of Real Property and Notice of Sale* be held on May 4, 2020 to
17 prevent the foreclosure sale of said Real Property; and

18 21. That no other bids were submitted at the time set for sale of the Real
19 Property.

20 It is hereby ORDERED, ADJUDGED, and DECREED:

- 21 1. That the *Petition to Confirm Sale of Real Property* is granted;
22 2. That Personal Representative's sale of Real Property located at 1028
23 Riverview Drive, Gardnerville, Nevada 89460, the Assessor's Parcel Number being 1220-
24 10-811-003, more particularly described as:

25 Parcel 1:

26 All that certain lot, piece, parcel or portion of land situate, lying and being
27 within Section 10, Township 12 North, Range 20 East, M.D.M., Douglas
28 County, Nevada and more particularly described as follows:



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Lot 71, of the Official Plat of GARDNERVILLE RANCHOS UNIT NO. 3, according to the map thereof, filed in the Office of the County Recorder of Douglas County, State of Nevada, on June 1, 1965 in Book 28 at Page 117, as Document No. 28310 and amended on June 4, 1965 in Book 81 at Page 687 as Document No. 28378.

Excepting therefrom all that portion described as follows:

Commencing at the Southeasterly corner common to said Lots 70 and 71 which point is the True Point of beginning; thence along the Southeasterly line of said Lot 71 South 43°00'30" West a distance of 1.02 feet; thence leaving said line North 46°58'42" West a distance of 181.38 feet; thence South 47°58'45" West a distance of 129.51 feet to a point on the Southwesterly line of said lot 71; thence along the boundary of said Lot 71 North 46°59'30" West a distance of 62.40 feet; thence North 1°03'30" West a distance of 114.88 feet; thence North 84°57'30" East a distance of 84.15 feet; thence South 46°59'30" East distance 291.77 feet to the True Point of Beginning.

Parcel 2:

Together with and subject to a 12.00 foot wide private access easement for the mutual use and benefit of the owners of Lots 70 and 71 and more particularly described as follows:

All that portion of Lots 70 and 71 as shown on the official map of GARDNERVILLE RANCHOS UNIT NO. 3, according to the map thereof, filed in the Office of the County Recorder of Douglas County, State of Nevada, on June 1, 1965 in Book 28 at Page 1 17, as Document No. 28310 and amended on June 4, 1965 in Book 81 at Page 687 as Document No. 28378, lying 6.00 feet on either side of the following described centerline:

Commencing at the Southeasterly corner common to said Lots 70 and 71; thence along the Southeasterly line of said Lot 70 North 43°00'30" East a distance of 16.50 feet to the True Point of Beginning of the centerline of this 12.00 foot wide private access easement; thence leaving said Southeasterly line of Lot 70 North 64°37'42" West a distance of 40.18 feet; thence North 69°43'14" West a distance of 29.99 feet; thence North 51°18'27" West a distance of 38.43 feet; thence North 61°08'25" West a distance of 45.06 feet; thence North 79°27'20" West a distance of 44.12 feet to the terminus point of this 12.00 foot wide private access easement.

for the amount of \$350,000 to Buyers pursuant to the terms of the *Residential Offer and Acceptance Agreement; Counter Offer #1; Addendum-"As Is" Sale* is accepted, confirmed and approved; and

1 3. That Personal Representative and Buyers shall comply with the terms and
2 conditions set forth in the *Residential Offer and Acceptance Agreement; Counter Offer*
3 *#1; and Addendum-"As Is" Sale* regarding the shared costs of escrow, title insurance,
4 recording fees, and document and transfer taxes for the sale of property.

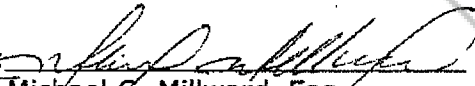
5 Dated this 4th day of May, 2020.

6
7 
DISTRICT JUDGE

8 **AFFIRMATION**

9 The undersigned hereby affirms pursuant to NRS 239B.03 that the foregoing does
10 not contain the social security number of any person, or other personal information as
11 defined by NRS 603A.040.

12 Submitted this 1st day of May, 2020.

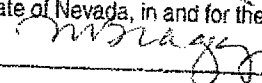
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14 by: 
15 Michael G. Millward, Esq.

16 NSB: 11212
17 Millward Law, Ltd.
18 1591 Mono Ave
19 Minden, Nevada 89423
20 775-600-2776

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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 May 4, 2020
BOBBIE R. WILLIAMS Clerk of Court
of the State of Nevada, in and for the County of Douglas,
By  Deputy

