

APN: 004-410-03

Recording Requested By:

Name: Robert J. Wines, Prof. Corp.

Address: 687 6th Street, Suite 1

City, State, Zip: Elko, NV 89801

Send Tax Statement To:

Name: Jason O. Reynolds

Address: 10 Primeaux Canyon Road

City, State, Zip: Carlin, NV 89822

EUREKA COUNTY, NV
LAND-RES
\$37.00
Total: \$37.00

ROBERT J. WINES, PROF. CORP.

2023-251356
12/18/2023 08:51 AM
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KATHERINE J. BOWLING, CLERK RECORDER

Order Revoking Prior Sale; Order Confirming New Sale of Real Property
(Title of Document)

Please complete the cover page, check one of the following and sign below.

☐ I the undersigned hereby affirm that this document submitted for recording does not contain a social security number.

OR

☐ I the undersigned hereby affirm that this document submitted for recording contains a social security number of a person as required by law:

Title

1 CASE NO. PR-2209-080

2 Dept. 2

3 AFFIRMATION

4 Pursuant to NRS 239B.030, the undersigned
5 affirms this document DOES NOT contain
6 social security numbers

NO. _____
FILED

DEC 15 2023

By *Eureka County Clerk*
B. Mahoney

7 IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
8 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

9 IN THE MATTER OF THE ESTATE OF
10 JAMES M. KLINE, aka JAMES
11 MATTHEW KLINE, aka JAMES
12 KLINE, aka JIM KLINE, aka
13 JAMES PAUL COWLEY,

**ORDER REVOKING PRIOR
SALE; ORDER CONFIRMING
NEW SALE OF REAL PROPERTY**

Deceased,

14 VICKI J. JOY, the duly appointed and qualified Personal Representative of the above
15 captioned Estate, filed herein her Petition to Revoke Prior Sale; Return of Sale and Petition for
16 Confirmation of New Sale of Real Property; Notice of Hearing has been given for the time, and in
17 the manner, required by law; this is the time and place scheduled for a hearing on this matter; the
18 Court, being fully informed, hereby finds as follows:

19 APPOINTMENT OF PERSONAL REPRESENTATIVE:

20 1. That Petitioner is a resident of the Lyon County, Nevada, and over the age of 21
21 years; Petitioner has never been convicted of a felony. Petitioner was appointed as Personal
22 Representative of the Estate by Order entered December 5, 2022; she qualified as Personal
23 Representative of this Estate on December 22, 2022, and has served in that capacity since that date.

24 RECORDATION OF LETTERS:

25 2. A certified copy of Petitioner's Letters of Administration has been recorded on
26 January 3, 2023, as Document No. 2023-249173, Official Records, Eureka County, Nevada
27 Recorder's Office as required by law.

28 ///

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RECEIVED

DEC 08 2023

Eureka County Clerk

1 **INVENTORY:**

2 3. Petitioner filed with the Court an Inventory, which discloses all property which has
3 come to Petitioner's possession or knowledge since the date of death of the Decedent.

4 4. The property subject of this Petition is listed thereon as being the primary residence,
5 with a beginning value of \$274,000.00.

6 **REAL PROPERTY OF THIS ESTATE:**

7 5. That the real property subject of this petition consists of a parcel of land situate in the
8 Eureka County, Nevada; said parcel of real property is more particularly described as follows:

9 Parcel No. 3 as shown on that certain Parcel Map for JAMES M. KLINE and
10 HELEN M. KLINE, recorded September 21, 1998, as Document No. 170683,
Official Records, Eureka County, Nevada Recorder's Office, being a portion of
11 Section 14, Township 32 North, Range 50 East, M.D.B.&M.

12 TOGETHER WITH any and all buildings and improvements situate thereon
including a converted manufactured home a 1997 Guerdon manufactured home, SN
13 GDB0ID139710377AB, situate thereon.

14 TOGETHER WITH the tenements, hereditament and appurtenances thereunto
belonging or in anywise appertaining, the reversion or reversions, remainders, rents,
15 issues and profits thereof.

16 SUBJECT to all exceptions, reservations, restrictions, restrictive covenants,
assessments, easements, rights and rights of way of record.

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18 **SALE OF REAL PROPERTY:**

19 6. That the undersigned Petitioner, as Personal Representative of this Estate, published
20 Notice of Sale, advertising for sale said parcel of real property, all as shown by the Affidavit of
21 Publication, Notice of Sale on file herein, to which reference is hereby made for further particulars.
22 Said Publication occurred commencing June 2, 2023, with the last such publication occurring on
23 June 16, 2023. Sale date was scheduled for June 21, 2023.

24 **PRIOR SALE OF REAL PROPERTY:**

25 7. Petitioner accepted an Offer to Purchase dated August 20, 2023, from KALOB
26 TRACY and GABRIEL TRACY. This First Offer (hereinafter "TRACY OFFER") contained a
27 provision that allowed cancellation of the sale if Buyers were unable to obtain a contract to sell a
28 contingent parcel of property. The contingency failed, and on September 20, 2023, the TRACY

1 OFFER was rescinded and the sale cancelled. Counsel was not informed until after the Court had
2 already acted upon the Petition for Confirmation of Sale. A copy of the rescission is attached to the
3 Petition, and identified as Exhibit "1".

4 8. By Order of this Court, entered October 6, 2023, the Court confirmed the sale of the
5 property described herein to KALOB TRACY and GABRIEL TRACY, for the purchase price of
6 \$360,000.00; a certified copy of the Order Confirming Sale was recorded October 9, 2023, as
7 Document No. 2023-251189, Official Records, Eureka County, Nevada Recorder's Office.

8 9. It is necessary that the Court revoke its confirmation of the TRACY OFFER in order
9 to allow the Court to confirm the sale described herein below, and instruct that the recorded Order
10 Confirming Sale, recorded October 9, 2023 as Document No. 2023-251189 shall have no further
11 force or effect on the property.

12 **NEW SALE:**

13 10. NRS 148.240(1) requires that any sale of property be made within ONE (1) YEAR
14 after the publication of the Notice of Sale. As is shown above, the sale described herein is within
15 that ONE (1) YEAR period, and the Petitioner is not obligated to republish notice of this sale.

16 11. A subsequent Offer, which the Petitioner desires to accept, was received from JASON
17 O. REYNOLDS. The Offer was accepted by the Personal Representative on November 27, 2023.
18 This Offer is for the purchase of the herein described real property for the sum of TWO HUNDRED
19 SEVENTY FIVE THOUSAND DOLLARS (\$275,000.00); the terms of sale generally are \$3,000.00
20 down, with the remaining balance of \$272,000.00 payable at closing. There is no financing
21 contingency. While this offer is significantly below the TRACY OFFER, it still within the appraised
22 value of the property; the offer requires Buyer and Seller each pay one-half of the escrow fees. Seller
23 shall purchase a standard owner's policy of title insurance; Seller shall pay real estate broker fees
24 and all attorney fees incurred to obtain confirmation of this sale. Buyer shall pay transfer tax; Buyer
25 has waived all other inspections and all appraisals. Buyer shall accept the property and all
26 appurtenances in "AS-IS" condition.

27 ///

28 ///

1 12. Petitioner, in her capacity as Personal Representative, accepted this Offer on
2 November 27, 2023. A copy of the Residential Purchase Agreement and Addendum No. 1 is
3 attached to the Petition as Exhibit "2".

4 13. That said sale was legally made and fairly conducted; the Petitioner believes that the
5 sales price is not disproportionate to the value of the property sold.

6 14. That the Court should revoke the confirmation of the TRACY OFFER, and confirm
7 this sale to REYNOLDS as described herein; the Court should authorize the Petitioner to expend the
8 necessary charges from the Estate, including the payment of closing costs and expenses, fees, title
9 insurance and other closing costs and documents as described herein, and in Exhibit "2".

10 NOW THEREFORE, IT IS THE Order of this Court as follows:

11 1. This Court hereby revokes the confirmation of the prior sale of the property described
12 herein to KALOB TRACY and GABRIEL TRACY;

13 2. This Court hereby Orders that the Order Confirming Sale, recorded October 9, 2023,
14 as Document No. 2023-251189, Official Records, Eureka County, Nevada Recorder's Office shall
15 be of not further force or effect;

16 3. That the Court hereby Confirms the sale described hereinabove to JASON O.
17 REYNOLDS, for the selling price of \$275,000.00, and directs the said Personal Representative to
18 execute and deliver appropriate conveyances to the Purchaser in accordance with the foregoing; and

19 4. Petitioner is authorized to pay the purchase price for a policy of title insurance, real
20 estate commissions, and such other costs and expenses as shall be necessary, together with a
21 proportionate share of escrow fees and charges, together with all necessary prorations incident to said
22 sale.

23 DATED this 15th day of December, 2023.

24
25 
26 DISTRICT JUDGE

COPY

SEVENTH JUDICIAL DISTRICT COURT } SS
IN AND FOR THE COUNTY OF EUREKA
STATE OF NEVADA

I, the Undersigned County Clerk Recorder and Ex-Officio Clerk of the
Seventh Judicial District Court do hereby certify that the foregoing is a true
and correct copy of the original on file in my office.

Witness hand and seal of the Seventh Judicial District Court
This 15th day of DECEMBER 20 23

Eureka County Clerk Recorder and Ex-Officio Court Clerk
By: B. Maloney, Deputy Clerk Recorder (Seal Affixed)