

118558

BOOK 21 PAGE 203

1 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
2 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO  
3  
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5 IN THE MATTER OF THE ESTATE AND  
6 GUARDIANSHIP OF  
7 ANNA BELLE BRENNEN, a Minor.

NO. 1858

FILED: October 9, 1953B. L. Kane, CLERKORDER CONFIRMING SALE

9  
10 HELEN B. BRENNEN, Guardian, having on the 5th day of  
11 September, 1953, made and filed herein her Report and Return of  
12 Sale and Petition for Confirmation, and the hearing of said  
13 Report and Return having heretofore been set for the hour of 10:00  
14 o'clock A. M. on the 16th day of September, 1953, and the matter  
15 having been duly and regularly carried over to the hour of 3:00  
16 P. M. on the 23rd day of September, 1953, and said matter coming  
17 on for hearing at said time and due notice of the time and place  
18 of said hearing having been given in the manner required by law  
19 as more fully appears from the Affidavits of Posting on file  
20 herein, and it further appearing that notice of the time and  
21 place of said private sale was duly given by publication in the  
22 Elko Daily Free Press in the manner required by law as more fully  
23 appears from the affidavit of Publication on file herein, and the  
24 affidavits of Posting on file herein, and the Court having read  
25 and considered the said Return and Report and Petition for Con-  
26 firmation, and the Guardian having appeared by and through her  
27 attorney, ORVILLE R. WILSON, ESQ., and evidence having been of-  
28 fered in support of said Return and Report, and the Court being  
29 fully advised as to the facts in the premises,

SAID COURT HEREBY FINDS:

31 That the property described in the Return and Report of  
32 Sale and described in the said published Notice of Sale and the

ORVILLE R. WILSON  
ATTORNEY AT LAW  
ELKO, NEVADA

1 Order to Sell Real and Personal Property at private sale, dated  
 2 August 11, 1953, comprises the following:

3 an undivided 17½ per cent interest in and to:

4 REAL PROPERTY

5 T 28 N. R 54 E. M.D.B. & M.

6 Section 31: Lots 1, 2 and 3

32: NW¼; W½SW¼; NE¼SW¼; W½NE¼; SE¼NE¼

7 T 32 N. R 56 E. M.D.B. & M.

8 \*Section 1: Lots 3-4; S½NW¼; SW¼

9 \* 3: All

10 \* 11: All

11 \* 13: N¼

12 \* 13: S¼

13 \* 15: All

14 \* 23: All

15 \* 24: All

16 \* 25: All

17 \* 27: All

18 36: E½NE¼; NW¼NE¼; NE¼SE¼

19 T 33 N. R 56 E. M.D.B. & M.

20 Section 36: S½NE¼; N¼SE¼

21 T 32 N. R 57 E. M.D.B. & M.

22 Section 4: S½S½

23 5: All

24 6: S½NE¼

25 8: N½N½

26 9: N½N½

27 13: All

28 15: S½S½

29 20: E½; SW¼

30 21: All

31 23: All

32 27: All

33 29: All

34 30: W½NE¼; SE¼NE¼; NE¼SE¼

35 32: Lots 1, 2, 3, 4; NE¼NW¼; N½NE¼

36 SE¼NW¼; S½NE¼; E½SW¼; SE¼

37 33: All

38 35: All

26 T 33 N. R 57 E. M.D.B. & M.

27 Section 31: All

32: NW¼SW¼

28 \*NOTE: The property identified by asterisk  
 29 above has been offered to the United States  
 30 under private land exchange agreement for  
 31 the following property situate in the County  
 32 of Elko, State of Nevada:

33 T 32 N. R 56 E. M.D.B. & M.

34 Section 14: S½

35 26: All

36: W½; SW¼NE¼; W½SE¼; SE¼SE¼

ORVILLE R. WILSON  
 ATTORNEY AT LAW  
 ELKO, NEVADA

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T 32 N. R 57 E. M.D.B. & M.  
Section 30: NW $\frac{1}{4}$ ; W $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SE $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$   
18: All

All title of offered land and interest in exchange agreement is subject of this sale.

Together with all range rights, forest rights, water rights, appurtenances and improvements.

PERSONAL PROPERTY

- 610 Cows
- 148 Heifers
- 254 Heifer calves
- 24 Bulls
- 132 Steers
- 199 Steer calves
- 81 Bull calves
- 12 Sale bulls
- 34 Ewes and bucks
- 38 Lambs
- 13 Colts
- 31 Head registered herd cows and bulls

Together with all increase thereof.

Together with all of the trucks, tractors, ranch machinery, hay racks, stackers, buck rakes, harnesses, blacksmith tools and any and all ranch equipment used in connection with the operation of the above real property and livestock and horses.

That at the said date and hour of sale as contained in said Notice of Sale, to-wit, on the 1st day of September, 1953, at the hour of 10:00 A.M. said Guardian offered at private sale at the offices of ORVILLE R. WILSON, Rooms 205-208, First National Bank Building, Elko, Nevada, the above described real and personal property.

That H. M. BRENNEN made the only bid, which was a sealed written bid, in the sum of \$47,689.11 upon the following terms:

\$16,000.00 paid in cash upon confirmation, and the remainder being the sum of \$31,689.11 to be evidenced by promissory note payable in five equal annual installments commencing one year from date of down payment. The privilege of making additional payments or paying in full at any time, interest upon the deferred payments to accrue at the rate of 5% per annum and to be

1 payable at the time of making principal payments and in addition  
 2 thereto. Said promissory note to be secured by Real and Chattel  
 3 Mortgage upon the property the subject of this sale and such  
 4 additional properties as may be owned by H. M. BRENNEN and re-  
 5 quired to be included in the Real and Chattel Mortgage.

6 That said bid was accompanied by certified check of H. M.  
 7 BRENNEN in the sum of \$4,769.00.

8 That said bid was the highest, best and only bid and the  
 9 sum offered was the amount of the appraised value per Inventory  
 10 and Appraisal filed herein on July 22, 1953.

11 That the security required from the bidder H. M. BRENNEN  
 12 to secure said minor's estate upon the unpaid portion of the  
 13 purchase price shall be a Real and Chattel Mortgage upon the un-  
 14 divided 17½% interest of said minor the subject of this sale in  
 15 the above real and personal property together with the remaining  
 16 undivided interest of said H. M. BRENNEN in and to the same prop-  
 17 erty, to-wit, at least a 30% interest therein.

18 That said sale was legally made and fairly conducted.  
 19 That no bid of any name or nature of ten per cent more than said  
 20 bid of H. M. BRENNEN exclusive of the expense of a new sale, was  
 21 made by any person upon hearing of said Report and Return and that  
 22 said sum bid was not disproportionate to the value of the property.

23 WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

24 1. That the Notice of Sale was duly, regularly and  
 25 legally given pursuant to Order to Sell Real and Personal Property,  
 26 Order for Publication and the laws of Nevada.

27 2. That the said sale to H. M. BRENNEN of said undivided  
 28 17½% interest in and to the above described real and personal  
 29 property be and the same hereby is confirmed upon the terms here-  
 30 nabove set forth.

31 3. That the Guardian be and she hereby is, authorized  
 32 to make, execute and deliver to said H. M. BRENNEN her good and

ENRM

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1 sufficient Guardian's Deed and Bill of Sale conveying all of the  
 2 right, title and interest of said estate at time of sale or  
 3 thereafter acquired by operation of law or otherwise in and to  
 4 said undivided 17½% interest in and to the above described real  
 5 and personal property upon receipt of cash payment in the sum of  
 6 \$16,000.00 and promissory note executed by H. M. BRENNEN payable  
 7 to said Guardian in the sum of \$31,689.11, in equal annual in-  
 8 stallments commencing one year from date of said note, with  
 9 interest at the rate of 5% per annum upon the deferred payments,  
 10 payable annually at the time of principal payments and in addition  
 11 thereto, with the privilege reserved to H. M. BRENNEN to pay more  
 12 upon the principal or to pay the note in full at any time; and  
 13 that with said note H. M. BRENNEN deliver a Real and Chattel  
 14 Mortgage, naming said Guardian as mortgagee, and securing payment  
 15 of said note. Said Real and Chattel Mortgage to be to at least an  
 16 undivided 47½% interest in and to the real and personal property  
 17 hereinabove described.

18 4. That said Guardian be, and she hereby is, authorized  
 19 to affix the necessary Internal Revenue Stamps to said Deed prior  
 20 to delivery to H. M. BRENNEN.

21 DATED <sup>FILED FOR RECORD</sup> ~~THIS~~ 9th day of October, 1953.  
 22 <sup>AT REQUEST OF</sup>

*Orville R. Kile*  
 23 OCT 9 4 29 PM '53 *Elko No. 118558*

24 RECORDED BOOK 10 PAGE 206-*Misc* TAYLOR H. WINES  
 RUTH GRISWOLD SABALA DISTRICT JUDGE  
 ELKO COUNTY RECORDER  
 25 *In #350*

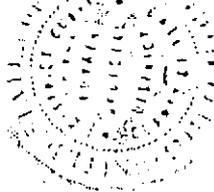
26 State of Nevada. } ss.  
 County of Elko.

I, R. L. KANE, County Clerk and Ex-Officio Clerk of the District Court of the Fourth Judicial District  
 of the State of Nevada, in and for the County of Elko, do hereby certify that the annexed is a full, true and  
 correct copy of ORDER CONFIRMING SALE NO. 1858

IN THE MATTER OF THE ESTATE AND GUARDIANSHIP OF ANNA BELLE

BRENNEN, a Minor.

as the same appears on the end of record in my office.



WITNESS my hand and the Seal of said Court affixed

this 9th day of October, A. D. 1953.

By *R. L. Kane* Clerk.

By *M. B. [Signature]* Deputy Clerk.