

RECORDED OCTOBER 3, 1973, BK 196 PG 521, NO. 633690, B. B. HUME, COUNTY CLERK

IN THE DISTRICT COURT WITHIN AND FOR THE COUNTY OF  
SHERIDAN, STATE OF WYOMING

In the Matter of the Estate     )  
                                      )  
                  of                    ) Probate No. 8360  
                                      )  
FRANK PANETTA,                        )  
                                      )  
                  Deceased.         )

ORDER CONFIRMING SALE

NOW, TO-WIT: On this 3 day of October, 1973,  
the above entitled matter came on to be heard for consideration  
upon the Return of Sale filed herein by Agnes F. Panetta,  
Joe Panetta and Walter Panetta, as Executors of the Estate  
of Frank Panetta, deceased, covering the sale of 3.9 acres  
of land in which said estate had a one-third interest, and  
the Court having examined and considered said Return of Sale,  
together with the evidence offered in support thereof, and  
being fully advised in the premises, finds:

I.

That at the time of his death, Frank Panetta was  
the owner in fee simple of an undivided one-third interest  
in and to the following described Parcels of real property  
situate in the County of Sheridan, State of Wyoming, to-wit:

Parcel 1

All that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section  
7, T. 54 N., R. 84 W. of the 6th P.M.,  
Wyoming, lying between the east boundary  
of said NE $\frac{1}{4}$ NE $\frac{1}{4}$  and a parallel right of way  
line 33 feet to the right or westerly  
side when measured at right angles to the  
following described survey line of highway,  
said parallel right of way line beginning  
on the north boundary and ending on the  
south boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ :

Beginning at a point on the north boundary  
of said NE $\frac{1}{4}$ NE $\frac{1}{4}$  from which the northeast  
corner thereof bears N. 89° 17.6' E. a  
distance of 1.8 feet; thence S. 0° 30' W.  
a distance of 1,460 feet, more or less,  
until said parallel right of way line in-  
tersects the south boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The above described parcel of land contains  
1.1 acres, more or less.

Parcel 2

All that portion of the E $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 6, T. 54 N., R. 84 W. of the 6th P.M., Wyoming, lying between the east boundary of said E $\frac{1}{4}$ SE $\frac{1}{4}$  and a parallel right of way line of hereinafter stated distances to the left or westerly side when measured at right angles or radially to the following described survey line of highway, said parallel right of way line beginning on the south boundary and ending on the east boundary of said E $\frac{1}{4}$ SE $\frac{1}{4}$ :

Beginning at a point on the south boundary of said Section 6 from which the southeast corner thereof bears N. 89° 17.6' E. a distance of 1.8 feet; thence with said parallel right of way line 33 feet to the left or westerly side N. 0° 30' E. a distance of 144.8 feet to the point of beginning of a 0° 30' circular curve to the left, the radius of which is 11,459.2 feet; thence continuing with said parallel right of way line 33 feet to the left or westerly side, along said curve through a central angle of 0° 23.2' a distance of 77.4 feet; thence with said parallel right of way line 100 feet to the left or westerly side, continuing along said curve through a central angle of 0° 09.8' a distance of 32.6 feet to the point of ending of said curve; thence continuing with said parallel right of way line 100 feet to the left or westerly side N. 0° 03' W. a distance of 667.4 feet; thence with said parallel right of way line 33 feet to the left or westerly side, continuing N. 0° 03' W. a distance of 1,061.8 feet to the point of beginning of a 12° 30' spiralled curve to the right, the spiral lengths of which are 375.0 feet, the total length of which is 1,104.2 feet and the total central angle of which is 91° 09'; thence continuing with said parallel right of way line 33 feet to the left or westerly side, along the spiral arc of said curve through a central angle of 14° 01' a distance of 290 feet, more or less, until said parallel right of way line intersects the east boundary of said E $\frac{1}{4}$ SE $\frac{1}{4}$ .

The above described parcel of land contains 2.8 acres, more or less.

## II.

That by the terms of the Last Will and Testament of Frank Panetta, deceased, which was admitted to probate by Order of this Court on September 13, 1972, the Testator authorized Agnes F. Panetta, Joe Panetta and Walter Panetta, as the Executors named in said Will, to sell and dispose of

all of the property of said estate, real or personal, at either public or private sale, without securing any previous Order of Court therefor and upon such terms and conditions as to them may seem best and proper.

III.

That pursuant to the authority vested in them under the terms of said Will, said Executors, as of April 5, 1973, did sell the undivided one-third interest of said estate in and to the Parcels of real property above described to the State Highway Commission of the State of Wyoming to be used in the construction of the new State Secondary that will extend from the Town of Big Horn, Wyoming, to the "Red Grade Road", which lies westerly from said Town of Big Horn.

IV.

That the Executors did report to the Court that they had sold said Parcels of real property at private sale; and that said property brought a total sum of \$958.00 and the estate of Frank Panetta was entitled to one-third thereof; that the State Highway Commission of the State of Wyoming is ready, willing and able to pay the sum of \$958.00 upon confirmation of said sale by this Court.

V.

That the real property of said estate was regularly appraised herein on July 6, 1973, or within a period of less than three months from the date hereof.

VI.

That inasmuch as Frank Panetta, at the time of his death, owned a one-third interest in said property and inasmuch as 2.8 acres out of the total of 3.9 acres was already situate in the County Highway and had been so situate for more than twenty-five (25) years, it appears that the Executors were using good judgment in joining with Joe Panetta and his wife,

and Walter Panetta and his wife in effecting the sale of said Parcels of real property to the State Highway Commission of the State of Wyoming, and that said sale ought to be confirmed and the execution of the Quit-Claim Deed by Agnes F. Panetta, Joseph Panetta and Walter Panetta, as Executors of the Estate of Frank Panetta, in favor of the State Highway Commission of the State of Wyoming under date of April 5, 1973, approved.

IT IS, THEREFORE, HEREBY ORDERED, ADJUDGED AND DECREED by the Court that the sale of the above described Parcels of real property, at private sale, to the State Highway Commission of the State of Wyoming for the sum of \$958.00 be, and the same is hereby ratified, approved and confirmed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the execution of the Quit-Claim Deed by Agnes F. Panetta, Joe Panetta and Walter Panetta, as Executors of the Estate of Frank Panetta, together with Agnes F. Panetta, a widow, in her individual capacity; Joe Panetta and Veronica Panetta, his wife; and Walter Panetta and Edna E. Panetta, his wife, in their individual capacity, to the State of Wyoming covering said Parcels of real property above described, be, and the same is hereby approved and confirmed by the Court.

DONE IN OPEN COURT this 3 day of October, 1973.

5/John P. Dlsley  
J U D G E

Certificate of Clerk of the District Court. The above is a true and correct copy of the original instrument which is on file or of record in this court.

Done this 3rd day of October 1973

MICHAEL Clerk

