

FILED

07/28/2026

Kim York
CLERK, CIRCUIT COURT
Cass COUNTY

**IN THE CIRCUIT COURT OF CASS COUNTY, MISSOURI
AT HARRISONVILLE**

KIM R. MANSON, et al.

Plaintiffs,

v.

ROBINSON R. FICHTNER, individually and as
Successor Trustee of the Gertrude B. Arbuckle
Trust dated July 22, 1996, et al.

Defendants.

Case No. 25CA-CC00136

**INTERLOCUTORY JUDGMENT IN PARTITION
AND ORDER APPOINTING SPECIAL COMMISSIONER**

Now on this 27 day of July 2026, come Plaintiffs, Kim R. Manson and Dwight E. Manson, by and through counsel, Aaron L. Aurand, and Defendant, Jana Garrsion, by and through counsel, Gerard Scimeca. The Court finds that Plaintiffs have filed a Motion for Interlocutory Judgment of Partition and Order Appointing Special Commissioner. The Court hereby finds that Plaintiffs' Motion is in proper form and should be granted. The Court further finds as follows:

1. Plaintiffs own a one-half interest and Defendant, Jana Garrison, owns a one-half interest in real estate in Cass County, Missouri, commonly known as 19715 Hoover Rd., Pleasant Hill, MO 64080 and legally described as follows:

THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 46, RANGE 30 IN CASS COUNTY, MISSOURI. SUBJECT TO ANY PART THEREOF IN PUBLIC ROADS. EXCEPT ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 46, RANGE 30 IN CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 0 DEGREE 07 MINUTES WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 600 FEET; THENCE NORTH 89 DEGREES 53 MINUTES EAST, 440 FEET; THENCE SOUTH 0 DEGREES 07 MINUTES EAST 160 FEET; THENCE SOUTH 70 DEGREES 07 MINUTES EAST, 200 FEET; THENCE NORTH 89 DEGREES 53 MINUTES EAST, 254.8 FEET; THENCE SOUTH 0 DEGREE 07 MINUTES EAST, 373.1 FEET MORE OR LESS TO THE SOUTH LINE OF SAID

NORTHEAST QUARTER; THENCE WESTERLY ALONG SAID SOUTH LINE 882.9 FEET TO THE POINT OF BEGINNING. (the "Real Property").

2. The Court finds that such real estate is of such size, topography, location and improvements that it is not susceptible to division in kind and such real estate should be sold as a whole.

3. The Court further finds that partition in kind cannot be made; and, therefore, an order of sale may be made without the appointment of commissioners pursuant to *Rule 96.11, Missouri Rules of Civil Procedure*.

4. The Court finds that the appointment of a special commissioner would be beneficial to the parties and would aid in the sale of the Real Property.

5. The Court further finds that Steve Bricker, a local realtor with many years of experience selling real estate, is a suitable individual to be appointed as Special Commissioner.

6. The Court hereby appoints Steve Bricker as Special Commissioner in this case.

7. The Court authorizes the Special Commissioner to sell the Real Property in any manner the Special Commissioner elects, subject to the order of this Court.

8. The Court further orders the parties to comply with all directives of the Special Commissioner in order to maximize the sales proceeds from the sale the Real Property.

9. The Court orders that upon sale of the Real Property, the net sales proceeds shall be deposited with the Court for further order of the Court.

WHEREFORE, the Court enters an Order that the real property legally described as:

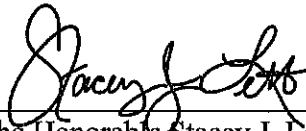
THE SOUTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 46, RANGE 30 IN CASS COUNTY, MISSOURI. SUBJECT TO ANY PART THEREOF IN PUBLIC ROADS. EXCEPT ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 46, RANGE 30 IN CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 0 DEGREE 07 MINUTES WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 600 FEET; THENCE NORTH 89

DEGREES 53 MINUTES EAST, 440 FEET; THENCE SOUTH 0 DEGREES 07 MINUTES EAST 160 FEET; THENCE SOUTH 70 DEGREES 07 MINUTES EAST, 200 FEET; THENCE NORTH 89 DEGREES 53 MINUTES EAST, 254.8 FEET; THENCE SOUTH 0 DEGREE 07 MINUTES EAST, 373.1 FEET MORE OR LESS TO THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE WESTERLY ALONG SAID SOUTH LINE 882.9 FEET TO THE POINT OF BEGINNING. (commonly known as 19715 Hoover Rd., Pleasant Hill, MO 64080),

be sold by Steve Bricker who is appointed as Special Commissioner to sell the Real Property and deposit the net sales proceeds, after payment of all fees and expenses associated with selling the Real Property, and payment of \$38,000.00 to the Successor Trustee of the Gertrude B. Arbuckle Trust dated July 22, 1996 for payment of the promissory note secured by the Deed of Trust recorded in Book 1010 at Page 122 and assigned by Assignment of Deed of Trust recorded in Book 1527 at Page 8 to fully satisfy said promissory note to obtain a Deed of Release to release said Deed of Trust, upon payment of said fees and expenses and payment of said promissory note, the balance of the net sales proceeds shall be deposited into the registry of the Court for further order of the Court.

7-28-26

Date



The Honorable Stacey J. Lett, Div. I

APPROVED AS TO FORM:

/s/Aaron L. Aurand/s/

Aaron L. Aurand

Attorney for Plaintiffs

/s/Gerard Scimeca/s/

Gerard Scimeca

Attorney for Defendant Jana Garrison