

25153

Last Will and Testament

Vol. 11 Page 2293

622013

MAY 6 - 1976

OF

COUNTY CLERK
Deputy

ANN LOUISE MAKOSKY

I, ANN LOUISE MAKOSKY, being of sound and disposing mind and memory, and not acting under undue influence of any person whomsoever, do make, publish and declare this instrument to be my Last Will and I revoke all Wills and Codicils heretofore made by me.

FIRST: I direct the representative of my estate to pay my expense of last illness, my funeral expense, and all my just debts out of my estate, as soon after my death as is convenient. In the event no legally authorized person shall have made funeral arrangements within forty-eight (48) hours after my demise, I instruct my attorneys, KRAG AND KRAG, to do so. I specifically request that my remains be cremated and my ashes be strewn on the Pacific Ocean.

SECOND: I declare that:

- A. I am a resident at 238 Hampden Terrace, Alhambra, California 91801;
- B. I was born on September 16, 1929;
- C. I am unmarried; and
- D. I have no children, living or deceased.

For all purposes under this Will, whether for the determination of relationships or otherwise, adopted children, whether of mine or any other person shall be considered to have and shall be given exactly the same status as natural born children.

THIRD: I give, devise and bequest all of my estate, whether real, personal or mixed, wheresoever situated, of which I die possessed, or to which I may in any manner be entitled, or over which I may, at the time of my death, have

1.

the power of appointment, including all lapsed and failed legacies and devises, to my brother, DONALD E. MAKOSKY, provided he shall survive distribution to him. In the event of the demise of my brother, DONALD, prior to distribution to him, any portion of this bequest not previously distributed to him shall lapse, in which event, and provided LISA ANGELE HEATON shall survive my brother, DONALD, I give such lapsed portion to LLOYDS BANK CALIFORNIA, a California banking association, or its successors by merger, consolidation or otherwise, IN TRUST, for the following uses and purposes:

1. This Trust shall be for the benefit of LISA ANGELE HEATON.

2175 PC 798 2. Until LISA, named in paragraph 1. above, shall have attained the age of twenty-five (25) years, the net income of the Trust shall be paid to, or applied for, her maintenance, education or support, at such times and in such proportions as my Trustee shall determine in its absolute discretion. In the event the income shall be insufficient to provide LISA with adequate maintenance, education or support, the Trustee shall invade the principal for this purpose.

3. Upon the attainment of the age of twenty-five (25) years of LISA, I direct that my Trustee shall distribute fifty per-cent (50%) of the corpus and undistributed income to LISA.

4. Upon the attainment of the age of thirty (30) years of LISA, I direct that my Trustee shall distribute the then remaining principal and all accumulated and undistributed income of the Trust Estate to LISA.

5. Should LISA die before becoming entitled to receive distribution of the entire Trust set aside for her after paying the expenses of last illness and funeral, unless such expenses shall have been paid or provided apart from this Trust, such Trust shall be distributed to the then living issue of LISA

upon the principal of representation; or should no issue of LISA be then living, such Trust shall be distributed in equal shares to BRUCE DAVIS MAKOSKY and JOAN ELIZABETH MAKOSKY or the survivor of them if either shall have predeceased LISA.

6. If at any time or times after LISA shall have attained the age of Twenty-five (25) years during the remaining life of this Trust, LISA shall be in want of additional monies for reasonable maintenance, comfort and support, or for expenses of accident, illness or other misfortune, in each such case of want, it shall be the discretionary duty of the Trustee upon receipt of it of satisfactory evidence of such want, to pay to, or to use, or to apply, or expend for the beneficiary so then entitled the reto such additional part, up to and including the whole thereof, of the principal of the Trust Estate, as may be necessary to meet said want.

2175 PC 799

7. No beneficiary under this Trust shall assign, transfer, convey, anticipate, pledge, hypothecate or otherwise encumber his or her interest hereunder and neither the principal of this Trust, nor any income arising therefrom shall be liable for any debt of any such beneficiary or be subject to any bankruptcy proceeding, or claim of creditors, or be subject to any judgment rendered against any such beneficiary, or to the process of any Court in aid of execution of any judgment so rendered; and all of the income and principal under this Trust shall be transferable, payable and deliverable only to the beneficiary designated hereunder at the time entitled to take the same under the terms of this Trust, and the personal receipts of said beneficiary shall, at the option of the Trustee be conditions precedent to the payment or delivery of the same by the Trustee to such beneficiary, but this provision shall not restrict the power or authority of the Trustee to use and disburse funds under the provisions of paragraph 6. supra or to disburse funds under the provisions of paragraph 8. post.

8. In the event the Trustee is required to distribute any monies hereunder to, or use, or expend such monies for the benefit, comfort, support, education or maintenance of a minor or an incompetent person, each such distribution, may, at the sole discretion of the Trustee, be made to such beneficiary or to any person having actual custody of such beneficiary without the intervention of a guardian, or the Trustee may, itself, expend the monies for the benefit of such beneficiary, or the Trustee may distribute to the guardian, but the Trustee may, in its discretion, require such reports and take such steps as it may deem requisite to assure and enforce the due application of such monies to the purposes aforesaid.

9. In fulfillment of the aforesaid Trust, the Trustee shall have the following powers, duties and discretions:

2175 PC 800 The Trustee shall have all the rights, powers and privileges of an owner including those granted in Section 1102 of the California Probate Code, and, without intending to detract from the generality of the foregoing clause, shall have full power to sell, lease for any period or periods of time within or extending beyond the life of this Trust, assign, transfer and convey any and all property belonging to the Trust Estate; to collect and receive all rent, interest and income arising therefrom and to invest and reinvest the Trust Estate in the Trustee's absolute discretion, using the judgment which a prudent man would use with respect to property held in trust for another, and in the event of the purchase of securities, to hold the same in its own name or the name of any nominee it may select, to vote all stocks, by proxy or otherwise; to hold and retain any property originally received herein, or subsequently acquired, for such length of time as it may deem advisable, without regard to what might otherwise be deemed to be proper by diversification.

FOURTH: In the event of the demise of my brother, DONALD, prior

to distribution to him, and provided LISA ANGELE HEATON shall NOT have survived my brother, DONALD, I give such lapsed portion, as referred to above, to the living issue of LISA, who are living at the time of my demise upon the principal of representation or should there be no issue of LISA then living, I then give such lapsed portion in equal shares to BRUCE DAVIS MAKOSKY and JOAN ELIZABETH MAKOSKY, or the survivor if either shall have failed to survive me.

FIFTH: I appoint my brother, DONALD E. MAKOSKY, as Executor of my Will. If he should predecease me, or fail to qualify, or having qualified, should die, resign or become incapacitated, I appoint DONALD O. KRAG as Executor of my Will. If he should predecease me or fail to qualify or having qualified, should die, resign or become incapacitated, I appoint LLOYDS BANK CALIFORNIA, a California banking association, as Executor of my Will. I direct that my brother, DONALD E. MAKOSKY shall not be required to furnish any bond or other security for the faithful performance of his duties either in the State of California or elsewhere. If any successor or substitute Executor should qualify, he shall have all the rights and powers, discretionary and otherwise given to my Executor. 2175 PC 801

I authorize my Executor to sell, lease or mortgage the whole or any part of my estate at either public or private sale, with or without notice, but subject to such confirmation as may be provided by law. My Executor, may at his option and in his sole discretion, continue to hold, manage and operate any property, business or enterprise that I may own in whole or in part at the time of my death, the profits or losses, if any therefrom to inure or be chargeable, respectively, to my estate and not to my Executor.

IN WITNESS WHEREOF, I sign, publish and declare this as my Last Will in the presence of the persons witnessing it at my request this 29th day of

January, 1976.

2298

ADMITTED TO PROBATE

Date JUN 2 - 1976

Atty. Gen. Co. Sec. ling County Clerk

By Miller Deputy

Ann Louise Makosky

THE FOREGOING INSTRUMENT, consisting of six (6) pages, in-

cluding the page signed by the Testatrix, was on the date which it bears, by the said ANN LOUISE MAKOSKY, subscribed, published and declared to be her Last Will in the presence of us, and each of us, who, at her request and in her presence and in the presence of each other, has signed the same as witnesses thereto.

Donna Reinhart residing at Arcadia, Calif.

Betty E. Duran residing at Arcadia, Calif.

Donald O. Gray residing at Arcadia Calif

2175 PC 802

See Prob. C. 601, 604, 608, 609, 611, 1550, 1606, 1702, and 1901 for additional instructions.

Furnish extra copy for clerk to transmit to assessor. (Prob. C. 600, 1550, 1901)

2300

See Prob. C. 600-602 for items to be included.

If ward or conservatee is or has been confined in a state hospital during the guardianship or conservatorship, mail a copy to Director of State Department of Health at Sacramento. (Prob. C. 1550, 1554, 1, 1901)

The representative shall list on Attachment 1 and appraise as of the date of death or date of appointment of guardian or conservator at fair market value moneys, currency, cash items, bank accounts and amounts on deposit with any financial institution (as defined in Probate Code Section 605), and the proceeds of life and accident insurance policies and retirement plans payable upon death in lump sum amounts to the estate, excepting therefrom such items whose fair market value is, in the opinion of the representative, an amount different from the ostensible value or specified amount.

The representative shall list on Attachment 2 all other assets of the estate which shall be appraised by the Referee.

If joint tenancy and other assets are listed for appraisal purposes only and not as part of the probate estate, they must be separately listed on additional attachments and their value excluded from the total valuation of Attachments 1 and 2.

Each attachment should conform to the format approved by the Judicial Council.

Estate of ANN LOUISE MAKCSI, Deceased - Inventory & AppraisalmentAttachment 1.

P - 622 013

1. Account at Lloyds Bank California, Alhambra branch, (Christmas Club Account), balance as of date of death including all accrued interest	\$ 240.00
2. Account #0332-46784 at Lloyds Bank California, Alhambra Branch, Savings Account, balance as of date of death all accrued interest	140.03 .53
3. Salary due decedent at date of death from the City of Alhambra	\$ 1,703.91
4. American Express Traveler's Checks #DG26-266-757, DG26-266-758 and DG26-266-759 (\$20.00 each)	60.00
5. Refund check from Automobile Club of Southern Calif.	21.00
6. Refund check from Automobile Club of Southern Calif.	16.80
7. Legacy from the inter-vivos trust of Albera P. and Claude W. Hyde, consisting of cash	41,433.04
8. Cash found at decedent's residence	151.90
9. Dividend dated 4/6/76 from Delmarva Power & Light Company	20.10
10. Social Security Lump Sum Death Benefit	255.00
11. Reimbursement from Blue Cross of Southern California	80.00
12. Reimbursement from Blue Cross of Southern California	132.00
13. Reimbursement from Blue Cross of Southern California	225.36
14. Reimbursement from Blue Cross of Southern California	41.88
15. Reimbursement from Blue Cross of Southern California	26.40
16. Reimbursement from Blue Cross of Southern California	59.61
17. Reimbursement from Blue Cross of Southern California	80.00
18. Reimbursement from Blue Cross of Southern California	150.00
19. Refund on insurance policy on residence	13.00

Estate of ANN LOUISE MAKOSKY, Deceased - Inventory & Appraisement
Attachment 2.
P - 622 013

1. 169 shares of KNUDSEN CORPORATION, common stock \$ 2,239.25
2. 67 shares of DELMARVA POWER & LIGHT COMPANY, common stock \$ 862.62
3. 670.027 shares of SUPERVISED INVESTORS GROWTH FUND, INC., common stock \$ 4,690.13
4. 1966 Chevelle Malibu 2 door hard top automobile, engine #135176Z112935 \$ 200.00
5. Real property located in the County of San Luis Obispo, State of California, and further described as follows:

Lots 36 and 37 in Block 36 of Cambria Pines Manor Unit No. 4, according to map recorded April 23, 1930 in Book 5 at page 13 of Maps.

SUBJECT TO:

Covenants, conditions, restrictions, reservations, easements, and rights of way of record. \$ 3,000.00
6. Real property located at 238 Hampden Terrace, Alhambra, California, and more particularly described as follows:

Lot 19, Block 29 of Tract 4948, as per map recorded in Book 76 Pages 7 to 10 of Maps, records of the County of Los Angeles, State of California. \$ 31,500.00
7. Furniture and furnishings located at 238 Hampden Terrace, Alhambra, California \$ 1,500.00
8. One ladies white metal ring, fancy filigree mounting set with 1 clear stone, old mine cut \$ 450.00
9. One ladies yellow metal ring set with 1 clear stone, old mine cut, slight chip on side \$ 450.00
10. One ladies white metal ring set with 1 clear stone \$ 75.00
11. One ladies yellow metal pendant set with 1 clear stone with chip on side, and including white metal chain \$ 75.00

Inventory and Appraisement - Attachment 2.

Page 1.

25.
26.
27. One
28. One
29. One
30. One pair
7 pearls

Estate of ANN LOUISE MAKOSKY, Deceased - Inventory & Appraisalment

2203

Attachment 2.

P - 622 013

12. One yellow metal ring set with old mine cut clear stone	\$ 50.00
13. One white and yellow metal broach set with one clear stone	\$ 50.00
14. One ladies white metal ring set with clear center stone and two smaller clear stones at each side	\$ 750.00
15. One ladies plain yellow metal wedding band	\$ 20.00
16. One necklace with 35 large rough cut blue stones (opaque), together with numerous small white opaque stones	\$
17. Two bracelets made of white metal with 9 opaque blue stones each	\$
18. One white metal bracelet with 3 opaque blue stones (arrows included in design of bracelet)	\$
19. One white metal bracelet	\$
20. One white metal bracelet with 3 large opaque blue stones	\$
21. One white metal bracelet with 9 large opaque blue stones	\$
22. Pair of ear rings of white metal with one opaque blue stone each	\$
23. One white metal ring with large opaque blue stone	\$
24. One white metal broach with 3 small opaque blue stones	\$
25. One white metal ring with three small blue opaque stones	\$
26. One ear ring with large blue opaque stone (white metal)	\$
27. One broach (white metal) with large blue opaque stone, (pattern of leaves)	\$
28. One broach (white metal) shaped like an insect with small blue opaque stone	\$
29. One ear ring (white metal) with 3 small blue opaque stones	\$
30. One pair of cultured pearl ear rings, yellow metal with 7 pearls each	\$

ITEMS 16 Thru 30, Appraised at \$ 1,000.00

Inventory and Appraisalment - Attachment 2.

Page 2.

STA7

I hereby

FEBRUARY

Official Capacity
Exemplified Copy

IN THE MATTER OF THE ESTATE

No. P 622013

2304

STATE OF CALIFORNIA,
County of Los Angeles

ANN LOUISE MAKOSKY, aka
ANN L. MAKOSKY, aka
ANN MAKOSKY,

Deceased

I, JOHN J. CORCORAN, Acting County Clerk of the County of Los Angeles, State of California, and Clerk of the Superior Court of the State of California for the County of Los Angeles, do hereby certify and attest the foregoing to be a full, true and correct copy of the original last Will And Testament; Final Inventory And Appraisement on file and of record in my office; and that I have carefully compared the same with the original.

I further certify that said will was duly executed and proved agreeably to the laws and usages of the State of California.

on file and of record in my office, and that I have carefully compared the same with the original.

Executed and Seal of Said Superior Court Affixed at
Los Angeles, California.

November 9, 1976

John J. Corcoran
Acting County Clerk of the County of Los Angeles, State of
California, and Clerk of the Superior Court of the State of
California, County of Los Angeles.

STATE OF CALIFORNIA,
County of Los Angeles

I, ROBERT A. WENKE, Presiding Judge of the Superior Court of the State of California for the County of Los Angeles do hereby certify that JOHN J. CORCORAN is Acting County Clerk of the County of Los Angeles, State of California, and Clerk of the Superior Court of the State of California for the County of Los Angeles (which is a court of record, having a seal); that the signature to the foregoing certificate and attestation is the genuine signature of the said JOHN J. CORCORAN as such officer; that the seal annexed thereto is the seal of said Superior Court; that said JOHN J. CORCORAN as such Acting Clerk is the legal custodian of the original records or documents described and referred to in the foregoing certificate; is the proper officer to execute the said certificate and attestation, and such attestation is in due form according to the laws of the State of California.

Executed at Los Angeles, California.

November 9, 1976

Robert A. Wenke
Presiding Judge of the Superior Court of the State of California,
County of Los Angeles

STATE OF CALIFORNIA,
County of Los Angeles

I, JOHN J. CORCORAN, Acting County Clerk of the County of Los Angeles, State of California, and Clerk of the Superior Court of the State of California for the County of Los Angeles (which is a court of record having a seal which is annexed hereto), do hereby certify that ROBERT A. WENKE, whose name is subscribed to the foregoing certificate of due attestation was, at the time of signing same, Presiding Judge of the Superior Court aforesaid and was duly commissioned, qualified and authorized by law to execute said certificate. And I do further certify that the signature of the Judge above named to said certificate of due attestation is genuine.

Executed and Seal of Said Superior Court Affixed at
Los Angeles, California.

November 9, 1976

John J. Corcoran
Acting County Clerk of the County of Los Angeles, State of
California, and Clerk of the Superior Court of the State of
California, County of Los Angeles.

(U.S. Code (1958) Title 28; Section 1738 State and Territorial
Statistics and Judicial proceedings, full faith and credit.)

A-190
76E621 2-76

Ret. Manning & Simmons
540 main city

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 8th day of
FEBRUARY A.D., 1977 at 12:59 o'clock P.M., and duly recorded in Vol M 77
of DEEDS on Page 2293

FEE \$ 36.00

WM. D. MILNE, County Clerk

By Hazel Dwyer Deputy