

IN THE SUPERIOR COURT

OF THE
State of California
IN AND FOR THE
City and County of San Francisco

17314

Department No. Probate.

In the Matter of the Estate of
FREDERICKA MARRIOTT,

No. 75634

Deceased.

I, **CARL M. OLSEN**, County Clerk of the City and County of San Francisco, and Ex-Officio Clerk of the Superior Court of the State of California, in and for the City and County of San Francisco, do hereby certify the foregoing to be the full, true and correct copies of the original Will of Fredericka Marriott; Petition for Probate of Will; Order Admitting Will to Probate Without Bonds; Decree Settling Final Account And Of Final Distribution Of Estate.

on file and of record in my office in the above entitled cause. That the same constitute a full and complete exemplification of the above-described documents

in the said cause, and of the whole thereof.

All of which I have caused to be exemplified according to the Act of Congress.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the

seal of said Court, this 18th day

of August, A. D. 19 81

Carl M. Olsen
County Clerk and Ex-Officio Clerk of the Superior Court

I, **MORTON R. COLVIN**, Presiding Judge of the Superior Court of the State of California, in and for the City and County of San Francisco, do hereby certify that said Court is a Court of Record having a Clerk and Seal. That **CARL M. OLSEN** has signed the annexed attestation, is the duly appointed and qualified County Clerk of the City and County of San Francisco, and was at the time of signing said attestation, Ex-Officio Clerk of said Superior Court. That said signature is his genuine handwriting, and that all his official acts, as such clerk, are entitled to full faith and credit.

And I further certify that said attestation is in due form of law.

Witness my hand this 18th day of August, A. D. 19 81

Morton R. Colvin
Presiding Judge of said Superior Court

City and County of San Francisco }
STATE OF CALIFORNIA }

ss

I, **CARL M. OLSEN**, County Clerk of the City and County of San Francisco, and Ex-Officio Clerk of the Superior Court of the State of California, in and for the City and County of San Francisco, do hereby

certify that the Honorable **MORTON R. COLVIN**, whose name is subscribed to the preceding Certificate, is Presiding Judge of the Superior Court of the State of California, in and for the City and County of San Francisco, duly elected and qualified, and that the signature of said Judge to said Certificate is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the

seal of said Court, this 18th day

of August, A. D. 19 81

Carl M. Olsen
County Clerk and Ex-Officio Clerk of the Superior Court

EXEMPLIFICATION OF RECORD

1 LINFORTH & CANNON
 2 712-721 De Young Bldg.,
 3 Douglas 1953
 4 Attorneys for Petitioners.

5 **FILED**

6 MAY 29 1937

7 H. A. van der ZEE, Clerk

8 *[Signature]*
 9 Deputy Clerk

DATE OF HEARING	6/3/37
INDEXED	
REGISTERED	✓
POSTED	
CALENDAR	
ASSIGNED TO DEPT. NO. 9	
MAY 21 1937	
<i>[Signature]</i>	

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE
 11 CITY AND COUNTY OF SAN FRANCISCO.

12 In the Matter of the Estate

13 -of-

14 FREDERICKA MARRIOTT,

15 Deceased.

No.

75624

16 PETITION FOR PROBATE OF WILL.

17 To the Honorable, the Superior Court of the State of
 18 California, In and for the City and County of San Francisco:-

19 The Petition of ANGELA BASSETT SAMPSON and ALICE HYNES
 20 ANDERSON respectfully shows:-

21 I.

22 That FREDERICKA MARRIOTT died on or about the 13th
 23 day of May, 1937, at the City and County of San Francisco, State
 24 of California, and was at the date of death a resident of said
 25 City, County and State, and left property in said city, County
 26 and State.

27 II.

28 That said decedent left a will which your petitioners
 29 allege to be the last will and testament of said decedent, and
 30 which is presented herewith. That a true and correct copy of
 31 said last will and testament of decedent is hereto attached
 32 marked Exhibit "A."

III.

That said ANGELA BASSETT SAMPSON and ALICE HYNES ANDERSON, named in said will as the executrices thereof, and each of them, hereby consent to act as such executrices.

IV.

That the names, ages, relationships and residences of the heirs of the decedent, so far as known to your petitioners, are:-

<u>Name</u>	<u>Age</u>	<u>Relationship</u>	<u>Residence</u>
Mrs. Gertrude Eger Smith	Over 21 years.	Sister	1831 N.E. Brazee Street, Portland, Oregon.

V.

That the names, ages and residences of the legatees and devisees of said decedent, so far as known to petitioners are:-

<u>Name</u>	<u>Age</u>	<u>Residence</u>
Alice Hynes Anderson, over 21 years	87 Central Avenue, S. F.	
Josephine H. Piper		1831 N.E. Brazee St. Portland, Oregon.
Deborah Ann Smith	"	" " "
Mrs. Gertrude Eger Smith	"	" " "
Virginia Lawrence		1815 S.W. Montgomery Drive. Portland, Oregon.
Angela Bassett Sampson	" " "	87 Central Avenue, S. F.

VI.

That said decedent left real and personal property, the exact nature and extent of which is unknown at this time to your petitioners, but said petitioners allege upon their information and belief that said real and personal property is valued at less than Ten Thousand (\$10,000.00) Dollars.

VII.

That the subscribing witnesses to the said will are Joseph F. Leonard and Jesse H. Miller, each residing in the City and County of San Francisco, State of California, and having their offices at 712 De Young Building, San Francisco, California.

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VIII.

That at the time said will was executed upon the 10th day of May, 1937, the said testatrix was over the age of Twenty-one (21) years, of sound and disposing mind and memory, and not acting under duress, menace, fraud or undue influence, and was in every respect competent by last will to dispose of all of her estate.

IX.

That said last will is in writing, signed by the said decedent, and attested by said subscribing witnesses at the request of said decedent subscribing their names to the said will in the presence of said decedent and in the presence of each other, and your petitioners allege that said witnesses at the time of attesting the execution of said will were and now are competent.

WHEREFORE, your petitioners pray that the said will be admitted to probate, and that letters testamentary be issued to said petitioners, and for that purpose a time be appointed for filing said will, and that all persons interested be duly notified to appear at the time appointed for proving the same, and that all necessary and proper orders may be made in the premises.

Dated May 20th, 1937.

Angela Bassett Sampson
Alice Hynes Anderson
Petitioners.

Walter H. Luford
Wm. M. Cannon
Attorneys for Petitioners.

1 LINFORTH & CANNON
 2 712-721 De Young Bldg.,
 3 Douglas 1953
 4 Attorneys for Executrices

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 6
 7 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE
 8 CITY AND COUNTY OF SAN FRANCISCO: JUN 24 1938
 9 H. A. van der Zee, Clerk

10 In the Matter of the Estate
 11 -of-
 12 FREDERICKA MARRIOTT,
 13
 14 Deceased.

No. 75634

15
 16 DECREE SETTLING FINAL ACCOUNT
 17 AND OF FINAL DISTRIBUTION OF
 18 ESTATE.

19 ANGELA BASSETT SAMPSON, one of the Executrices of the
 20 Last Will and Testament of the above named decedent, having on the
 21 9th day of June, 1938, rendered and filed herein a full account and
 22 report of the administration of said estate, which account was for
 23 a final settlement, and having with said account filed a Petition
 24 for the final distribution of said estate and said account, and
 25 said Petition this day coming on regularly to be heard, to which
 26 day the hearing has been regularly continued, and proof having been
 27 made to the satisfaction of the court, and the court now finds that
 28 the Clerk has given notice of the settlement of said account and
 29 the hearing of said petition in the manner and for the time re-
 30 quired by law; and evidence, both oral and documentary having been
 31 offered and received, the court now finds;

32 I.

That the hearing of said petition and settlement of said
 account were duly and regularly continued to this day.

II.

That all the allegations of said petition, and each of them, are true.

III.

That ALICE HYNES ANDERSON and ANGELA BASSETT SAMPSON are the duly appointed, qualified and acting executrices of the Last Will and Testament of decedent. That said ALICE HYNES ANDERSON has been and now is absent from the United States and the State of California, and will continue absent therefrom for sometime in the future. That said ANGELA BASSETT SAMPSON has continued to act as executrix for and on behalf of said estate during the absence of said ALICE HYNES ANDERSON, and the court hereby approves and confirms the actions of said ANGELA BASSETT SAMPSON as such executrix for and on behalf of both of said executrices and said estate.

IV.

That said account is true and correct in all particulars,, and supported by proper vouchers.

V.

That since the filing of said account, State inheritance taxes in the sum of \$ 657.22 have been paid. That a Federal estate tax return has been made on behalf of said estate to the United States Government, and said return shows that no estate taxes are due from the said estate. That a certificate is on file herein showing no income tax due the State of California from said estate. That all taxes of every kind, State and Federal, have been paid.

VI.

That due and legal notice to creditors of said estate has been given in the manner and for the time required by law.

VII.

That all claims and debts against said decedent and

1 against said estate have been paid, with the exception of the
2 following:-

3 Bank of America National Trust & Savings Association in
4 the sum of \$19,000.00.

5 Wells Fargo Bank & Union Trust Co., in the sum of
6 \$12,500.00.

7 That as to said claim of \$19,000.00, Bank of America
8 National Trust & Savings Association has by an instrument in
9 writing, on file herein, consented that distribution of said es-
10 tate be made without the payment of said claim in said probate
11 proceeding.

12 That as to said claim of \$12,500.00, said Wells Fargo
13 Bank & Union Trust Co. has, by an instrument in writing on file
14 herein, consented to the distribution of the said estate without
15 the payment of said claim, but subject, however, and subordinate
16 to the lien of the deed of trust in said claim referred to, in
17 favor of said Wells Fargo Bank & Union Trust Co.

18 VIII.

19 That in and by the terms of the Last Will and Testament
20 of said decedent so admitted to probate herein, it is provided as
21 follows:-

22 "ONE: I give and bequeath to my friend, ALICE HYNES
23 ANDERSON, the sum of Five Hundred Dollars (\$500.00).

24 "TWO: I give and bequeath to my nieces, JOSEPHINE H.
25 PIPER, DEBORAH ANN SMITH and VIRGINIA LAWRENCE, each the sum of
26 One Hundred Dollars (\$100.00).

27 "THREE: I give, devise and bequeath to my sister,
28 GERTRUDE EGER SMITH, the real property and the improvements
29 situate thereon, known and designated as 370 Fourth Street, San
30 Francisco, California, subject, however, to the mortgage existing
31 thereon, said mortgage to be assumed and paid by my said sister.
32

SIX: Any and all property, real or personal, owned by me at the time of my death, and which is not in this Will specifically devised or bequeathed, I give, devise and bequeath to the said ANGELA BASSETT SAMPSON."

IX.

That by an instrument in writing on file herein said ALICE HYNES ANDERSON assigned and transferred to ANGELA BASSETT SAMPSON the legacy of Five Hundred (\$500.00) Dollars, provided to be paid in Paragraph ONE of said Last Will of said decedent, and said ALICE HYNES ANDERSON has requested distribution of said legacy to said ANGELA BASSETT SAMPSON.

X.

That the household furniture referred to in Paragraph FIVE of the Last Will of decedent has been divided and apportioned between GERTRUDE EGGER SMITH and ANGELA BASSETT SAMPSON in accordance with the Last Will and Testament of decedent.

XI.

That any and all property, real or personal, owned by decedent at the time of her death, and which is not specifically devised or bequeathed in the Last Will and Testament of decedent should be ordered distributed to ANGELA BASSETT SAMPSON.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said final account of said executrix be and the same is hereby settled, allowed and approved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

That the said estate of decedent be distributed as follows:

1. To ANGELA BASSETT SAMPSON the sum of Five Hundred (\$500.00) Dollars, which was bequeathed to ALICE HYNES ANDERSON under the Last Will of decedent, and assigned in writing to ANGELA BASSETT SAMPSON by said ALICE HYNES ANDERSON.

2. To JOSEPHINE PIPER, DEBORAH ANN SMITH and VIRGINIA LAWRENCE, each the sum of One Hundred (\$100.00) Dollars.

3. To GERTRUDE EGER SMITH, subject and subordinate to the deed of trust existing thereon, in favor of Wells Fargo Bank & Union Trust Co. for \$12,500.00, to be assumed and paid ^{by} GERTRUDE EGER SMITH, the following real property, which is described in the Last Will and Testament of decedent admitted to probate herein as 370 Fourth Street, San Francisco, California:

All that certain real property situated in the City and County of San Francisco, State of California, described as follows:

Beginning at the point of intersection of the southwesterly line of Fourth Street and the southeasterly line of Clara Street; and running thence southeasterly along the southwesterly line of Fourth Street 50 feet; thence at a right angle southwesterly 80 feet; thence at a right angle northwesterly 50 feet to the southeasterly line of Clara Street; and thence at a right angle northeasterly along said line of Clara Street 80 feet to the point of beginning.

Being a portion of 100 VARA BLOCK No. 374.

(The above described real property is subject to a deed of trust executed by the herein named decedent on the 1st day of June, 1936, in the principal sum of \$12,500, to the Wells Fargo Bank and Union Trust Company, a corporation, which said deed of trust was recorded in the office of the Recorder of the City and County of San Francisco, State of California, on the 5th day of June, 1936, in Liber 2960, page 411, of the official records therein.)

4. To ANGELA BASSETT SAMPSON the following:-

CASH: \$ 962.22

REAL PROPERTY:

All that certain lot, piece or parcel of land situate, lying and being in the County of Sonoma, Fourth Road District, Healdsburg School

1 District, in the State of California, and bounded
2 and described as Lot 6, Blk. 1, Subd. 1, Fitch
3 Mt. Tavern Tract.

4 5. To ANGELA BASSETT SAMPSON any and all property, real or
5 personal, owned by decedent at the time of her death, and which is
6 not specifically devised or bequeathed in the Last Will and Testa-
7 ment of decedent, admitted to probate herein.

8 6. Also, any and all other property, real or personal, owned
9 by decedent, or in which said estate has any interest, not now
10 known or discovered, is hereby distributed to ANGELA BASSETT
11 SAMPSON.

12 Done and dated in open court this 24th day of June,
13 1938.

14
15 RECORDED

16 VOL. 912...PAGE 279

17 JUN 27 1938

18 H. A. van der Zee, Clerk

19 By E. C. Coghlan
20 Deputy Clerk

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32
Judge of the Superior Court.

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17324

I, FREDERICA MARRIOTT, of the City and County of San Francisco, State of California, and being of sound and disposing mind and memory, and not acting under duress, menace, fraud, or undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament, and do expressly revoke all other and former wills and codicils to wills made by me.

ONE: I give and bequeath to my friend, ALICE HYNES ANDERSON, the sum of Five Hundred Dollars (\$500.00).

TWO: I give and bequeath to my nieces, JOSEPHINE H. PIPER, DEBORAH ANN SMITH and VIRGINIA LAWRENCE, each the sum of One Hundred Dollars (\$100.00).

THREE: I give, devise and bequeath to my sister, GERTRUDE EGER SMITH, the real property and the improvements situate thereon, known and designated as 370 Fourth Street, San Francisco, California, subject, however, to the mortgage existing thereon, said mortgage to be assumed and paid by my said sister.

FOUR: To ANGELA BASSETT SAMPSON, wife of James S. Sampson, I give, devise and bequeath the real property and the improvements thereon, known and designated as 365 Tenth Street, San Francisco, California, subject to the mortgage existing thereon, which she shall assume and pay.

To the said ANGELA BASSETT SAMPSON, I also give, devise and bequeath my walnut orchard situated near the City of San Jose, in the County of Santa Clara, State of California, and described as Lots 6, 7, 8, 9 and 10 of the Stockton Subdivision, according to a map thereof, of record in the office of the County Recorder of said County of Santa Clara, in Book "K" of maps, at page 86, subject to the mortgage existing thereon, which she shall assume and pay.

FIVE: To my said sister, GERTRUDE EGER SMITH, I give and bequeath an equal one-third ($1/3$) part of my household furniture, now in storage at Bekin's, and in the event that my said sister and Angela B. Sampson cannot agree on such division, then I direct that all of said furniture be sold by said executrices, hereinafter named, and one-third ($1/3$) of the net proceeds thereof to go and belong to the said Gertrude Eger Smith and the remaining two-thirds ($2/3$) thereof to said Angela Bassett Sampson.

SIX: Any and all property, real or personal, owned by me at the time of my death, and which is not in this Will specifically devised or bequeathed, I give, devise and bequeath to the said ANGELA BASSETT SAMPSON.

SEVEN: Should any person herein mentioned contest this Will, or object to its admission to probate, or participate in any such objection, no matter by whom made, then in lieu of the provision herein made for such person or persons, I give and bequeath the sum of One Dollar (\$1.00).

In the event any person, other than one herein mentioned, contest this Will, or object to its admission to probate, or participate in any such objection, no matter by whom made, then I give and bequeath to each such person or persons, the sum of One Dollar (\$1.00).

EIGHT: For twenty years or more my relations with the said ANGELA BASSETT SAMPSON have been very close. I have, during all of this time, entertained great affection for her and she has entertained great affection for me. I have treated her practically as a daughter and she has treated me practically as a mother, and for these reasons I am making to and for her the bequests herein set forth.

NINE: I hereby nominate and appoint as the Executrices of this my last Will and Testament the said ANGELA BASSETT SAMPSON

and the said ALICE HYNES ANDERSON, and I expressly request that no bond or bonds be required of them, or either of them, for the faithful performance of their duties as such.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the 10th day of May, 1937.

Fredericka Marriott (SEAL)

The foregoing instrument, consisting of two (2) pages besides this, was at the date hereof by the said FREDERICKA MARRIOTT signed and sealed and published as, and declared to be her Last Will and Testament, in the presence of us, who, at her request, and in her presence, and in the presence of each other, have subscribed our names as witnesses thereto.

Joseph L. Lawrence
Residing at 1717 22nd Ave. S.E.

Edw. D. Miller
Residing at 170 1st Avenue S.W.

17327

Filed in the Office of the Clerk of
the Superior Court in and for the
City and County of San Francisco,
State of California, this 20th
day of July, 1937.
H. A. van der Zee, Clerk
By: [Signature]
Clerk

RECORDED IN BOOK 7028

144A Page 354
June 10-1937

17328

In the Superior Court of the State of California
IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

Department No. 9 Probate

FILED
JUN 3 - 1937

H. A. [Signature]
Clerk

No. 75634

Order Admitting Will to Probate
Without Bonds.

In the Matter of the Estate of FREDERICKA MARRIOTT, Deceased.
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The petition of ANGELA BASSETT SAMPSON and ALICE HYNES ANDERSON
praying for the admission to Probate of a certain document filed in this Court, purporting to be the last
Will and Testament of FREDERICKA MARRIOTT deceased,
and that letters Testamentary be issued to said petitioner. § this day coming on regularly to be heard,
and due proof being made to the satisfaction of this Court that notice had been given according to law
of the time and place of hearing said petition, and after examining the said petitioner. § and Joseph F. Leonard one of the
§ subscribing witnesses to the Will, produced in behalf of said Petitioner. §; and it duly appearing to
said Court that said Fredericka Marriott
died on the 13th day of May
19 37, resident of the City and
County of San Francisco, State of California

It is ordered that the said document heretofore filed purporting to be the last Will and Testament
of said Fredericka Marriott deceased, be admitted to Probate as the last
Will and Testament of said Fredericka Marriott
deceased, that said Angela Bassett Sampson and Alice Hynes Anderson
be, and the y are hereby appointed executrices without bond

and that Letters Testamentary be issued to said
Petitioner § Angela Bassett Sampson and Alice Hynes Anderson

Done in open Court, this 12 day of June, 19 37

Frank H. Dunne
Judge of the Superior Court

Vol. Page

No. 75634 Dept.

PROBATE

In the Superior Court

of the

STATE OF CALIFORNIA

In and for the

City and County of San Francisco

In the Matter of the Estate of

FREDERICKA MARRIOTT

Deceased.

Order Admitting Will to

Probate without Bonds

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record

As 8 day of Dec. A.D. 1982 at 10:39 o'clock A. M., and
 duly recorded in Vol. M82, of Deeds on page 17313

Fee \$68.00

By

EVELYN BIENN, County Clerk