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Vol. 148 Page 16439

TELEPHONE NO.:

FOR COURT USE ONLY

Ret: TOBY F. MONTGOMERY, ESQ.
FINCH, MONTGOMERY & WRIGHT
350 CAMBRIDGE AVE., STE. 175
PALO ALTO, CALIFORNIA 94306

(415) 327-0888

(ENDORSED)

FILED
JUL 31 1987

GRACE K. YAMAKAWA
County Clerk
Santa Clara County
CLERK DEPUTY

ATTORNEY FOR (Name): Estate

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara

STREET ADDRESS: 270 Grant Avenue

MAILING ADDRESS: 270 Grant Avenue

CITY AND ZIP CODE: Palo Alto, California 94306

BRANCH NAME:

ESTATE OF (NAME): H. CATHERINE SCRIVANI, also known as
CATHERINE SCRIVANI

DECEDENT

CASE NUMBER:

P49599

SPOUSAL PROPERTY ORDER

1. Date of hearing: 7-30-87

Time: 9:30 A.M. Dept.: 2 Room:

THE COURT FINDS

2. All notices required by law have been given.

3. Decedent died on (date): May 24, 1987

- a. ☒ a resident of the California county named above.
b. ☐ a nonresident of California and left an estate in the county named above.
c. ☐ intestate ☒ testate.

THE COURT FURTHER FINDS AND ORDERS

4. a. ☒ The property described in attachment 4a is property passing to the surviving spouse.
(name): Claude S. Scrivani, and no administration of it is necessary.
b. ☐ See attachment 4b for further order respecting transfer of the property to the surviving spouse.
5. ☐ To protect the interests of the creditors of (business name):
an unincorporated trade or business, a list of all its known creditors and the amount owed each is on file.
a. ☐ Within (specify): days from this date, the surviving spouse shall file an undertaking in the amount of \$ upon condition that the surviving spouse pay the known creditors of the business.
b. ☐ See attachment 5b for further order protecting the interests of creditors of the business.
6. a. ☒ The property described in attachment 6a is property that belongs to the surviving spouse.
(name): Claude S. Scrivani, under Probate Code sections 100 and 101, and the surviving spouse's ownership is hereby confirmed.
b. ☐ See attachment 6b for further order respecting transfer of the property to the surviving spouse.
7. ☐ All property described in the Spousal Property Petition that is not determined to be property passing to the surviving spouse under Probate Code section 13500, or confirmed as belonging to the surviving spouse under Probate Code sections 100 and 101, shall be subject to administration in the estate ☐ described in attachment 7.
8. ☐ Other (specify):

Date:

JUDGE OF THE SUPERIOR COURT

9. ☒ Number of pages attached: 8☒ Signature follows last attachment

Form Approved by the
Judicial Council of California
DE-226 (Rev. July 1, 1987)

SPOUSAL PROPERTY ORDER
(Probate)

Probate Code, § 13366
Post-Record Catalog #DE-226

87 SEP 19 AM 11 44

37 007

H. CATHERINE SCRIVANI, also
known as CATHERINE SCRIVANI, Deceased

ATTACHMENT 3a

16440

1. An undivided one-half community property interest in real property located in the City of Mountain View, County of Santa Clara; commonly known as 1474 Wildrose Way, Mountain View, CA 94043 more particularly described as follows:

LOT 1 as shown upon that certain Map entitled, "Tract No. 3901 Mountain View Garden Homes Unit No. 1", which Map was filed for record in the office of the Recorder of the County of Santa Clara, State of California, on September 30, 1965, in Book 200 of Maps, pages 26, 27 and 28.

This deed is made and accepted upon all of the provisions contained in the document entitled, "Mountain View Garden Homes Association Declaration of Covenants, Conditions and Restrictions" dated November 2, 1965, recorded November 4, 1965, in Book 7166 of Official Records, page 155, and Amendment thereto dated February 18, 1966, recorded February 23, 1966, in Book 7289 of Official Records, page 222, executed by Sterling Homes, Inc. a corporation et al, all of which are incorporated herein by reference to said documents with the same effect as though fully set forth herein.
2. An undivided one-half community property interest in real property located in the City of Aptos, County of Santa Cruz, State of California, commonly known as 400 Clubhouse, Aptos, California 95003, more particularly described as follows:

LOT 1, in Block 5, as the same is shown and designated on that certain map entitled, "Subdivision No. 1 Aptos Beach Country Club Properties", filed for record on August 10, 1925 in Volume 23 of Maps at Page 1, Santa Cruz County Records.

Excepting therefrom all mineral rights as reserved in the Deed from Santa Cruz Land Title Company, a California Corporation, recorded May 20, 1937 in Book 323, Page 367, Official Records.

Also excepting therefrom all mineral rights as reserved in the deed from Santa Cruz County Title Company, A California corporation, recorded May 17, 1944 in Book 473, Page 390, Official Records.
APN: 44-113-01
3. An undivided one-half community property interest in real property located in the City of Aptos, County of Santa Cruz, State of California, commonly known as Lot 89, Dolphin Drive, Aptos, California 95003, more particularly described as follows:

H. CATHERINE SCRIVANI, also known
as CATHERINE SCRIVANI, Deceased

ATTACHMENT 3a (page 2)

16441

The land referred to herein is situated in the County of
Santa Cruz, State of California, and described as follows:
A condominium comprised of:

PARCEL ONE

All of Unit 39, as shown and defined upon that certain Map
entitled, "Tract No. 601, Aptos Seascape, Unit No. 3-3"
filed for record on November 1, 1972 in Book 57 of Maps, at
Page 24, Santa Cruz County Records, together with the
following appurtenant easements;

1. An exclusive easement to use the patio area no. 39, set
out on the map hereinabove referred to.
2. An exclusive easement for parking area no. 39, as set
out on the map hereinabove referred to.
3. A non-exclusive easement for all walk-ways and public
space areas.

PARCEL TWO

An undivided 1/24th interest, as tenants in common, in and
to lot 95, as shown and defined upon the map referred to
in Parcel One, hereinabove.

Reserving, however, the following exclusive easements from
said common area, together with the right to grant said
easements as appurtenant to other lots in said project;

1. Exclusive rights to use all patios shown on said above map,
except the patio specifically designated above in Parcel One.
2. Exclusive rights to use for vehicle parking purposes the
parking areas shown on said Map, except the parking area
specifically designated above in Parcel One.

Also reserving from said lot 95, an easement, and together
with the right to grant such easement to the individual purchasers
in projects known as Spindrift Units 8 and 8-A, and if such
projects shall not be developed and annexed by action of
Grantor within two years from the date of the covenants,
conditions and restrictions imposed herein, then Grantor shall
release and reconvey such easement to the individual purchasers
of the said Spindrift Unit 8-B.

H. CATHERINE SCRIVANI, also known
as CATHERINE SCRIVANI, Deceased

ATTACHMENT 3a (page 3)

16442

PARCEL THREE

A non-exclusive easement over lot 29, as shown and defined on that certain map entitled, "Tract No. 558, Aptos Seascapes Unit No. 3".

Filed for record on October 28, 1971 in Book 55 of Maps at Page 32, Santa Cruz County Records, subject to the exclusive easements granted or to be granted to the unit owners of said Tract, as appurtenant to their units as follows:

- (1) Exclusive rights to use of patios.
- (2) Exclusive rights to use for vehicle parking purposes the parking areas as said units, parking areas and patio areas are shown and defined on said map.

PARCEL FOUR

A non-exclusive easement over Lot 70, as shown and defined on that certain map entitled, "Tract No. 584, Aptos Seascapes Unit No. 3-A", filed for record May 25th, 1972 in Book 56 of Maps at Page 37, Santa Cruz County Records, subject to the exclusive easements granted or to be granted to the unit owners of said tract, as appurtenant to their units as follows:

- (1) Exclusive rights to use of patios.
- (2) Exclusive rights for vehicle parking purposes the parking areas as to said units, parking areas, and patio areas are shown and defined on said map.

4. An undivided one-half community property interest in Great Western Savings Account No. 338-507121-6-61 in the name of H. Catherine Scrivani.
5. An undivided one-half community property interest in Shearson Lehman Brokerage Account No. 530-04075-16-040 in the name of Claude S. Scrivani and H. Catherine Scrivani.
6. An undivided one-half community property interest in Phoenix Leasing Income Fund, 1977, Account No. 01050 in the names of Claude S. Scrivani and H. Catherine Scrivani.
7. Miscellaneous checks payable to decedent and/or decedent and her surviving spouse.
8. Any other property later found to be a part of the estate of decedent.

H. CATHERINE SCRIVANI, also known
as CATHERINE SCRIVANI, Deceased

16443

ATTACHMENT 3a (page 4)

9. An undivided one-half community property interest in Promissory Note dated April 21, 1986, from Paul Ostoja to Claude S. and H. Catherine Scrivani in the original amount of \$1,500 as secured by deed of trust in property located in Klamath County, Oregon, more particularly described as follows:

Lot 6, Block 8 Klamath Falls Forest Estates Highway 66 Unit,
Plat No. 1,

as recorded in Klamath County, Oregon

H. CATHERINE SCRIVANI, also
known as CATHERINE SCRIVANI, Deceased

16444

ATTACHMENT 5a

1. An undivided one-half community property interest in real property located in the City of Mountain View, County of Santa Clara; commonly known as 1474 Wildrose Way, Mountain View, CA 94043 more particularly described as follows:

LOT 1 as shown upon that certain Map entitled, "Tract No. 3901 Mountain View Garden Homes Unit No. 1", which Map was filed for record in the office of the Recorder of the County of Santa Clara, State of California, on September 30, 1965, in Book 200 of Maps, pages 26, 27 and 28.

This deed is made and accepted upon all of the provisions contained in the document entitled, "Mountain View Garden Homes Association Declaration of Covenants, Conditions and Restrictions" dated November 2, 1965, recorded November 4, 1965, in Book 7166 of Official Records, page 155, and Amendment thereto dated February 18, 1966, recorded February 23, 1966, in Book 7289 of Official Records, page 222, executed by Sterling Homes, Inc. a corporation et al, all of which are incorporated herein by reference to said documents with the same effect as though fully set forth herein.

2. An undivided one-half community property interest in real property located in the City of Aptos, County of Santa Cruz, State of California, commonly known as 400 Clubhouse, Aptos, California 95003, more particularly described as follows:

LOT 1, in Block 5, as the same is shown and designated on that certain map entitled, "Subdivision No. 1 Aptos Beach Country Club Properties", filed for record on August 10, 1925 in Volume 23 of Maps at Page 1, Santa Cruz County Records.

Excepting therefrom all mineral rights as reserved in the Deed from Santa Cruz Land Title Company, a California Corporation, recorded May 20, 1937 in Book 323, Page 367, Official Records.

Also excepting therefrom all mineral rights as reserved in the deed from Santa Cruz County Title Company, A California corporation, recorded May 17, 1944 in Book 473, Page 390, Official Records.
APN: 44-113-01

3. An undivided one-half community property interest in real property located in the City of Aptos, County of Santa Cruz, State of California, commonly known as Lot 89, Dolphin Drive, Aptos, California 95003, more particularly described as follows:

H. CATHERINE SCRIVANI, also known
as CATHERINE SCRIVANI, Deceased

ATTACHMENT 5a (page 2)

16445

The land referred to herein is situated in the County of Santa Cruz, State of California, and described as follows:
A condominium comprised of:

PARCEL ONE

All of Unit 39, as shown and defined upon that certain Map entitled, "Tract No. 601, Aptos Seascapes, Unit No. 3-3" filed for record on November 1, 1972 in Book 57 of Maps, at Page 24, Santa Cruz County Records, together with the following appurtenant easements;

1. An exclusive easement to use the patio area no. 39, set out on the map hereinabove referred to.
2. An exclusive easement for parking area no. 39, as set out on the map hereinabove referred to.
3. A non-exclusive easement for all walk-ways and public space areas.

PARCEL TWO

An undivided 1/24th interest, as tenants in common, in and to lot 95, as shown and defined upon the map referred to in Parcel One, hereinabove.

Reserving, however, the following exclusive easements from said common area, together with the right to grant said easements as appurtenant to other lots in said project;

1. Exclusive rights to use all patios shown on said above map, except the patio specifically designated above in Parcel One.
2. Exclusive rights to use for vehicle parking purposes the parking areas shown on said Map, except the parking area specifically designated above in Parcel One.

Also reserving from said lot 95, an easement, and together with the right to grant such easement to the individual purchasers in projects known as Spindrift Units 8 and 8-A, and if such projects shall not be developed and annexed by action of Grantor within two years from the date of the covenants, conditions and restrictions imposed herein, then Grantor shall release and reconvey such easement to the individual purchasers of the said Spindrift Unit 8-B.

H. CATHERINE SCRIVANI, also known
as CATHERINE SCRIVANI, Deceased

ATTACHMENT 5a (page 3)

16446

PARCEL THREE

A non-exclusive easement over lot 29, as shown and defined on that certain map entitled, "Tract No. 558, Aptos Seascapes Unit No. 3".

Filed for record on October 28, 1971 in Book 55 of Maps at Page 32, Santa Cruz County Records, subject to the exclusive easements granted or to be granted to the unit owners of said Tract, as appurtenant to their units as follows:

- (1) Exclusive rights to use of patios.
- (2) Exclusive rights to use for vehicle parking purposes the parking areas as said units, parking areas and patio areas are shown and defined on said map.

PARCEL FOUR

A non-exclusive easement over Lot 70, as shown and defined on that certain map entitled, "Tract No. 584, Aptos Seascapes Unit No. 8-A", filed for record May 25th, 1972 in Book 56 of Maps at Page 37, Santa Cruz County Records, subject to the exclusive easements granted or to be granted to the unit owners of said tract, as appurtenant to their units as follows:

- (1) Exclusive rights to use of patios.
- (2) Exclusive rights for vehicle parking purposes the parking areas as to said units, parking areas, and patio areas are shown and defined on said map.

4. An undivided one-half community property interest in Great Western Savings Account No. 338-507121-6-61 in the name of H. Catherine Scrivani.
5. An undivided one-half community property interest in Shearson Lehman Brokerage Account No. 530-04075-16-040 in the name of Claude S. Scrivani and H. Catherine Scrivani.
6. An undivided one-half community property interest in Phoenix Leasing Income Fund, 1977, Account No. 01050 in the names of Claude S. Scrivani and H. Catherine Scrivani.

H. CATHERINE SCRIVANI, also known
as CATHERINE SCRIVANI, Deceased

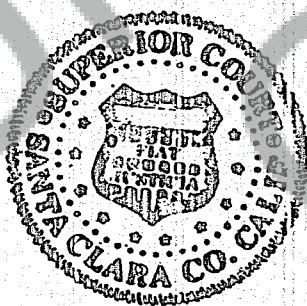
ATTACHMENT 5a (page 4)

16447

7. An undivided one-half community property interest in Promissory Note dated April 21, 1986, from Paul Ostoja to Claude S. and H. Catherine Scrivani in the original amount of \$1,500 as secured by deed of trust in property located in Klamath County, Oregon, more particularly described as follows:

Lot 6, Block 8 Klamath Falls Forest Estates Highway 66 Unit,
Plat No. 1,

as recorded in Klamath County, Oregon



Dated JUL 30 1987

The foregoing instrument is a correct copy of
the original on file in this office
ATTEST

AUG 14 1987

GRACE K. YAMAKAWA
COUNTY CLERK - Santa Clara County

County Clerk and Article Clerk of the Superior Court of the
State of California in and for the County of Santa Clara
BY [Signature] DEPUTY

JOHN A. FLAHERTY

Judge of the Superior Court

Attachment 6a Page 4 of 4

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Toby F. Montgomery, ESQ.
of September A.D., 19 87 at 11:44 o'clock A M., and duly recorded in Vol. M87 day
of Deeds on Page 16439

FEE \$37.00

Evelyn Biehn,
By [Signature] County Clerk