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Vol. 491 Page

K-43129

FILED
FOR COURT USE ONLY

GR. YAMAKAWA

88 OCT 7 P2:59

Notice by Clerk
DEPUTY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):

(408) 554-0228

TELEPHONE NO.:

CHARLES J. NAEGELE, J.D.
1333 Lawrence Expressway, Suite 150
Santa Clara, CA 95051

ATTORNEY FOR (Name): Petitioner

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA

STREET ADDRESS: 191 North First Street

MAILING ADDRESS:

CITY AND ZIP CODE: San Jose, CA 95113

BRANCH NAME:

ESTATE OF (NAME):

HARRIETT M. SCHWACOFER

DECEDENT

CASE NUMBER:

120550

PETITION FOR

☐ Probate of Will and for Letters Testamentary☐ Probate of Will and for Letters of Administration

with Will Annexed

☒ Letters of Administration☐ Letters of Special Administration

(For deaths after

December 31, 1984)

☒ Authorization to Administer Under the IndependentAdministration of Estates Act ☐ with limited authority

INDEXED

HEARING DATE:

DEPT.:

TIME:

2

9:00 a.m.

1. Publication will be in (specify name of newspaper): SAN JOSE POST RECORD

a. ☒ Publication requested.b. ☐ Publication to be arranged.

2. Petitioner (name of each): JILL SCHWACOFER requests that

a. ☐ decedent's will and codicils, if any, be admitted to probate.b. ☒ (name): JILL SCHWACOFERbe appointed (1) ☐ executor(3) ☒ administrator(2) ☐ administrator with will annexed(4) ☐ special administrator

and Letters issue upon qualification.

c. ☒ that ☒ full ☐ limited authority be granted to administer under the Independent Administration of Estates Act.d. ☐ bond not be required for the reasons stated in item 3d.☒ \$ bond be fixed. It will be furnished by an authorized surety company or as otherwise provided by law. (Specify reasons in Attachment 2d if the amount is different from the minimum required by Probate Code, § 541.)☐ \$ in deposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location):

3. a. Decedent died on (date): 2-8-88 at (place): Westgate Convalescent Hospital

☒ a resident of the county named above.☐ a nonresident of California and left an estate in the county named above located at (specify location permitting publication in the newspaper named in item 1):b. Street address, city, and county of decedent's residence at time of death: Santa Clara County
Westgate Convalescent Hospital, 1601 Peterson Avenue, San Jose, CA

c. Character and estimated value of the property of the estate

(1) Personal property \$ 100,000±

(2) Annual gross income from

(i) ☐ real property(ii) ☐ personal property

Total \$ 100,000±

(3) Real property: \$150,000±

(If full authority under the Independent Administration of Estates Act is requested, state the fair market value of the real property less encumbrances.)

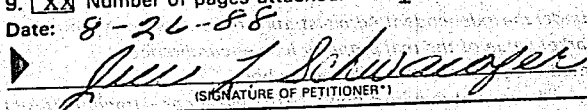
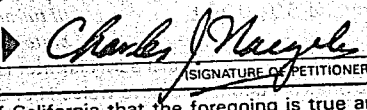
d. ☐ Will waives bond.☐ Special administrator is the named executor and the will waives bond.☐ All beneficiaries are adults and have waived bond, and the will does not require a bond. (Affix waiver as Attachment 3d.)☐ All heirs at law are adults and have waived bond. (Affix waiver as Attachment 3d.)☐ Sole personal representative is a corporate fiduciary.

(Continued on reverse)

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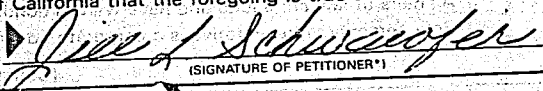
| | | |
|--|--|------------------------------------|
| ESTATE OF (NAME): HARRIETT M. SCHWACOFER | | CASE NUMBER: 02 DECEDENT |
|--|--|------------------------------------|

3. e. ☒ Decedent died intestate. ☐ Copy of decedent's will dated: ☐ codicils dated: are affixed as Attachment 3e.
☐ The will and all codicils are self-proving (Probate Code, § 329).
- f. Appointment of personal representative (check all applicable boxes)
- (1) Appointment of executor or administrator with will annexed:
☐ Proposed executor is named as executor in the will and consents to act.
☐ No executor is named in the will.
☐ Proposed personal representative is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3f(1).)
☐ Other named executors will not act because of ☐ death ☐ declination ☐ other reasons (specify in Attachment 3f(1)).
- (2) Appointment of administrator:
☒ Petitioner is a person entitled to Letters. (If necessary, explain priority in Attachment 3f(2).)
☐ Petitioner is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3f(2).)
☒ Petitioner is related to the decedent as (specify): **daughter**
- (3) ☐ Appointment of special administrator requested. (Specify grounds and requested powers in Attachment 3f(3).)
- g. Proposed personal representative is a ☒ resident of California ☐ nonresident of California (affix statement of permanent address as Attachment 3g) ☒ resident of the United States ☐ nonresident of the United States.
4. ☐ Decedent's will does not preclude administration of this estate under the Independent Administration of Estates Act.
5. a. The decedent is survived by:
(1) ☐ spouse ☒ no spouse as follows: ☐ divorced or never married ☒ spouse deceased
(2) ☒ child as follows: ☒ natural or adopted ☐ natural adopted by a third party ☐ step ☐ foster
☐ no child
(3) ☐ issue of a predeceased child ☒ no issue of a predeceased child
- b. Petitioner ☒ has no actual knowledge of facts ☐ has actual knowledge of facts reasonably giving rise to a parent-child relationship under Probate Code section 6408(b).
- c. ☒ All surviving children and issue of predeceased children have been listed in item 8.
6. (Complete if decedent was survived by (1) a spouse but no issue (only a or b apply); or (2) no spouse or issue. Check the first box that applies):
a. ☐ The decedent is survived by a parent or parents who are listed in item 8.
b. ☐ The decedent is survived by issue of deceased parents, all of whom are listed in item 8.
c. ☐ The decedent is survived by a grandparent or grandparents who are listed in item 8.
d. ☐ The decedent is survived by issue of grandparents, all of whom are listed in item 8.
e. ☐ The decedent is survived by issue of a predeceased spouse, all of whom are listed in item 8.
f. ☐ The decedent is survived by next of kin, all of whom are listed in item 8.
g. ☐ The decedent is survived by parents of a predeceased spouse or issue of those parents, if both are predeceased, all of whom are listed in item 8.
7. (Complete only if no spouse or issue survived the decedent) Decedent ☐ had no predeceased spouse ☐ had a predeceased spouse who (1) ☐ died not more than 15 years before decedent owning an interest in real property that passed to decedent, (2) ☐ died not more than five years before decedent owning personal property valued at \$10,000 or more that passed to decedent, (3) ☐ neither (1) nor (2) apply. (If you checked (1) or (2), check only the first box that applies):
a. ☐ The decedent is survived by issue of a predeceased spouse, all of whom are listed in item 8.
b. ☐ The decedent is survived by a parent or parents of the predeceased spouse who are listed in item 8.
c. ☐ The decedent is survived by issue of a parent of the predeceased spouse, all of whom are listed in item 8.
d. ☐ The decedent is survived by next of kin of the decedent, all of whom are listed in item 8.
e. ☐ The decedent is survived by next of kin of the predeceased spouse, all of whom are listed in item 8.
8. Listed in Attachment 8 are the names, relationships, ages, and residence or mailing addresses of all persons named in decedent's will and codicils, whether living or deceased, and all persons checked in items 5, 6, and 7, so far as known to petitioner, including stepchild and foster child heirs, devisees, and legatees to whom notice is to be given under Probate Code section 1207.
9. ☒ Number of pages attached: **1**
- Date: **8-26-88**

 (SIGNATURE OF PETITIONER)
 (SIGNATURE OF PETITIONER'S ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **August 26, 1988**
JILL SCHWACOFER
(TYPE OR PRINT NAME)

 (SIGNATURE OF PETITIONER)

7749

ESTATE OF HARRIETT M. SCHWACOFER

Petition for Probate

Attachment 8:

Jill Schwacofer
344 Lassenpark Circle
San Jose, CA 95136

Daughter Over 18

Wayne Schwacofer
7220 Yorktown Drive
Gilroy, CA 95020

Son Over 18

Return:

KCTC

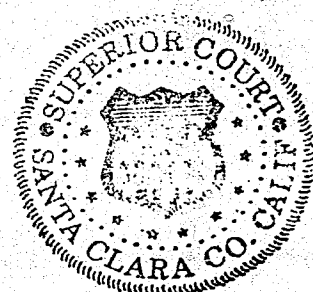
The foregoing instrument is a correct copy of
the original on file in this office.

ATTEST

APR 08 1991

GRACE K. YAMAKAWA

COUNTY CLERK - Santa Clara County

County Clerk and Ex-Officio Clerk of the Superior Court of the
State of California and for the County of Santa ClaraBy [Signature] DEPUTY

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of KCTC the 26th day
of April A.D., 19 91 at 10:50 o'clock A. M., and duly recorded in Vol. M91
of Deeds on Page 7747

Evelyn Biehn County Clerk
By Bernetha J. Fitch

FEE \$18.00

ATTACHMENT 8