

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): LAW OFFICES OF LORRAINE C. GOLLUB (310) 202-1171 9696 Culver Blvd., Suite 301 Culver City, CA 90232 State Bar #s: 43388 and 120163		TELEPHONE NO.:	FOR COURT USE ONLY FILED LOS ANGELES SUPERIOR COURT JUN 19 1992 JAMES H. GILBERT, CLERK <i>[Signature]</i> J. H. GILBERT, DEPUTY
ATTORNEY FOR (Name): Petitioner, KAREN DIANE HIGGINS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 1725 Main Street MAILING ADDRESS: Same CITY AND ZIP CODE: Santa Monica, CA 90401 BRANCH NAME: West District			
ESTATE OF (NAME): WILLIAM HENRY HIGGINS DECEDENT			
PETITION FOR <input checked="" type="checkbox"/> Probate of Will and for Letters Testamentary <input type="checkbox"/> Probate of Will and for Letters of Administration with Will Annexed <input type="checkbox"/> Letters of Administration (For deaths after December 31, 1984) <input checked="" type="checkbox"/> Letters of Special Administration <input checked="" type="checkbox"/> Authorization to Administer Under the Independent Administration of Estates Act <input type="checkbox"/> with limited authority		CASE NUMBER: SP001046 HEARING DATE: JUL 31 1992 DEPT.: A TIME: 9:30	

1. Publication will be in (specify name of newspaper): **Metropolitan News**
- a. ☒ Publication requested.
 b. ☐ Publication to be arranged.
2. **Petitioner (name of each): KAREN DIANE HIGGINS**
- requests
- a. ☒ decedent's will and codicils, if any, be admitted to probate.
 b. ☐ (name): **KAREN DIANE HIGGINS**
 be 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 admitted surety insurer or as otherwise provided by law. (Specify reasons in Attachment 2d if the amount is different from the maximum required by Probate Code, § 8482.)
☐ \$ in deposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location):
3. a. Decedent died on (date): **May 10, 1992** at (place): **Santa Monica, California, Los Angeles county**
☒ 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:
1348 Pine St., Santa Monica, California, 90405, Los Angeles county
- c. Character and estimated value of the property of the estate
 (1) Personal property \$ **130,000 - approx.**
 (2) Annual gross income from
 (i) ☐ real property \$
 (ii) ☐ personal property \$
 Total \$ **00**
 (3) Real property: \$ **400,000 - approx.** (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)

ESTATE OF (NAME):
WILLIAM HENRY HIGGINS

CASE NUMBER:

21892

DECEDENT

3. a. ☐ Decedent died intestate.

☒ Copy of decedent's will, dated: 2/23/1987 ☐ codicils dated:

☐ The will and all codicils are self-proving (Probate Code, § 8220).

are affixed as Attachment 3e.

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):

(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

(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 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 or reasonably ascertainable by petitioner, including stepchild and foster child heirs and devisees to whom notice is to be given under Probate Code section 1207.

9. ☒ Number of pages attached: 5

Date: June 18, 1992

(SIGNATURE OF PETITIONER)

(SIGNATURE OF PETITIONER*)

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

Date: June 18, 1992

KAREN DIANE HIGGINS

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER*)

*All petitioners must sign the petition. Only one need sign the declaration.

PETITION FOR PROBATE

21893

LAST WILL AND TESTAMENTOFWILLIAM HENRY HIGGINS

I, WILLIAM HENRY HIGGINS, a resident of Los Angeles County, State of California, declare that this is my Will, and hereby revoke all my prior Wills and Codicils.

FIRST

I am a widower. My late wife, Janet Higgins, passed away in 1983. I have three children now living whose names and dates of birth are as follows:

<u>NAME</u>	<u>DATE OF BIRTH</u>
Karen Diane Higgins	June 16, 1955
Laura Ann Higgins	July 21, 1958
Michael William Higgins	July 31, 1961

All references in this Will to my "child", "children", or "issue" include the above children, and no other children.

SECOND

It is my intention by this Will to dispose of all property over which I have the power of testamentary disposition at the time of my death. I do not intend, however, to exercise any power of appointment that I now possess or that may be conferred on me, unless that power is specifically referred to in this Will or in any Codicil to the Will.

THIRD

I give all my jewelry, clothing, household furniture and furnishings, personal automobiles, personal effects, mementoes, works of art, and other tangible articles of a personal nature, or my interest in any such property, not otherwise specifically disposed of by this Will or in any other manner, together, with any insurance thereon, to my children, if they survive me for two months, to be divided among them in equal shares, as they shall agree

or, if they shall fail to agree, the specific property that my children disagree upon must be sold within two years from the date of my death and the proceeds of said sale to be distributed to my children in equal shares.

FOURTH

I give to my children, all of my property, of whatever kind or character, real or personal, and wherever located, and with the intent thereby to give all the property I am entitled to dispose of by Will, together, with any insurance thereon, if they survive me for two months, to be divided among them in equal shares, as they shall agree, or if they shall fail to agree, the specific property that my children disagree upon must be sold within two years from the date of my death the proceeds of said sale to be distributed to my children in equal shares.

FIFTH

If my children do not survive me for two months, this gift shall lapse and shall become part of the residue of my estate.

SIXTH

I give all the rest and residue of my estate to my children, if they survive me for two months, and if any of my children does not survive me for that period, ~~to be divided among them in equal shares, as they shall agree or, if they shall fail to agree, the specific property that my children disagree upon must be sold within two years from the date of my death, and the proceeds of said sale to be distributed among my surviving children in equal shares.~~

SEVENTH

I nominate my child, Karen Diane Higgins as executor of this Will. If she is unable or unwilling to act or to continue to act as executor, then I nominate my child, Laura Ann Higgins as executor. No bond shall be required of my executor. I authorize my executor to sell, with or without notice, at either public or private sale, and to lease, any property belonging to my estate, subject only to any

confirmation of court that may be required by law.

EIGHTH

I give nothing to Doris Hall, Kenneth Moller, Rayetta Hall, Erik Moller, Henriette Moller, Lucille Brink, Justina Barnett, Esther Wallace, their heirs, spouses, or issue, if one or more of my children survive me for two months. Should none of my children survive me for two months, I give the rest and residue of my estate to ~~Kenneth Moller~~, individually. If none of my children ~~and~~ ~~Kenneth Moller~~ survive me for two months, I give the rest and residue of my estate to Lucille Brink, Individually.

NINTH

I wish to have my body cremated and my remains placed beside the remains of my mother, Lucy Hannon and wife, Janet Higgins at Woodlawn Cemetary.

TENTH

If any beneficiary under this Will shall directly or indirectly, by legal proceedings or otherwise, challenge or contest this Will or any of its provisions, or shall attempt in any way to oppose or set aside the probate of this Will or impair or invalidate any of the provisions I have made in it, any gift or other provision I have made to or for that person under this Will is revoked and shall be disposed of as if that contesting beneficiary had predeceased me without issue.

ELEVENTH

1. I have not entered into any contract to make a Will or a devise, not to revoke a Will or a devise, or to die intestate.

2. If any part, clause, provision, or condition of this Will is held to be void, inoperative, ineffective, or otherwise invalid, its invalidity shall not affect any other part, clause provision, or condition of this Will, and the remainder of this Will shall be carried into effect as if the invalid part, clause, provision, or condition had not been included.

3. As used in this Will, the masculine, feminine, or neuter gender, and the singular or plural number shall each be deemed to include the others whenever the context so indicates.

The foregoing Will is subscribed by me on this 23rd day of February, 1987, at Santa Monica, California. W

William Henry Higgins
WILLIAM HENRY HIGGINS

On the date written below, we, the undersigned, each being present at the same time, witnessed the signing of this instrument by William Henry Higgins. At that time, William Henry Higgins appeared to us to be of sound mind and memory and, to the best of our knowledge, was not acting under fraud, duress, menace, or undue influence. Understanding this instrument, which consists of four (4) pages, including this page, to be the Will of William Henry Higgins, we now subscribe our names as witnesses thereto.

We declare under penalty of perjury that the foregoing is true and correct, Executed at Santa Monica, California, on February 23, 1987.

William Blumenthal
Residing at 2303 KENT ST.
Los Angeles, CA 90026

Luella J. Marguillo
Residing at 1338 Pine St.
Santa Monica, CA 90405

Robert J. Marguillo
Residing at 1338 Pine St.
Santa Monica, CA 90405

ATTACHMENT 8 TO PEITION

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>AGE</u>
KAREN DIANE HIGGINS 824 18th Street Hermosa Beach, California 90254	Daughter	36
LAURA ANN HIGGINS 18448 Nordhoff Street Northridge, California 91324	Daughter	33
MICHAEL WILLIAM HIGGINS 1348 Pine Street Santa Monica, California 90405	Son	30
KENNETH MOLLER 2502 Mango Way Del Mar, California 92014	Late wife's brother	50s
LUCILLE BRINK 801 Live Oak Drive El Paso, Texas 79932	Half sister	50s
DORIS HALL c/o Rayetta Stump P.O. Box 27 Manning, Oregon 97125	Late wife's mother	80s
ERIK MOLLER P.O. Box 1543 Crestline, California 92325	Late wife's father	80s
HARRIET MOLLER P.O. Box 1543 Crestline, California 92325	Late wife's step-mother	80s
RAYETTA (HALL) STUMP P.O. Box 27 Manning, Oregon 97125	Late wife's half-sister	50s
ESTHER WALLACE c/o Lillian M. Conservator 1951 Grove Place Escondido, CA 92025	Aunt	80s
JUSTINA BARNETT	Aunt	Deceased

50318

21898



THE DOCUMENT TO WHICH THIS REFERS
IS ATTACHED IS A FULL, TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE AND OF RECORD
IN MY OFFICE.

AUG 10 1993

ATTEST

EDWARD M KRITZBERG, CLERK
of the Superior Court of the State
of California for the County of Los Angeles

By

Watts

FILED

JUN 19 1982

JAMES H. DENNEY, CLERK

C. H. HARRIS, JR.

SP001046

LAST WILL AND TESTAMENTOFWILLIAM HENRY HIGGINS

I, WILLIAM HENRY HIGGINS, a resident of Los Angeles County, State of California, declare that this is my Will, and hereby revoke all my prior Wills and Codicils.

FIRST

I am a widower. My late wife, Janet Higgins, passed away in 1983. I have three children now living whose names and dates of birth are as follows:

NAME	DATE OF BIRTH
Karen Diane Higgins	June 16, 1955
Laura Ann Higgins	July 21, 1958
Michael William Higgins	July 31, 1961

All references in this Will to my "child", "children", or "issue" include the above children, and no other children.

SECOND

It is my intention by this Will to dispose of all property over which I have the power of testamentary disposition at the time of my death. I do not intend, however, to exercise any power of appointment that I now possess or that may be conferred on me, unless that power is specifically referred to in this Will or in any Codicil to the Will.

THIRD

I give all my jewelry, clothing, household furniture and furnishings, personal automobiles, personal effects, mementoes, works of art, and other tangible articles of a personal nature, or my interest in any such property, not otherwise specifically disposed of by this Will or in any other manner, together, with any insurance thereon, to my children, if they survive me for two months, to be divided among them in equal shares, as they shall agree

or, if they shall fail to agree, the specific property that my children disagree upon must be sold within two years from the date of my death and the proceeds of said sale to be distributed to my children in equal shares.

FOURTH

I give to my children, all of my property, of whatever kind or character, real or personal, and wherever located, and with the intent thereby to give all the property I am entitled to dispose of by Will, together, with any insurance thereon, if they survive me for two months, to be divided among them in equal shares, as they shall agree, or if they shall fail to agree, the specific property that my children disagree upon must be sold within two years from the date of my death the proceeds of said sale to be distributed to my children in equal shares.

FIFTH

If my children do not survive me for two months, this gift shall lapse and shall become part of the residue of my estate.

SIXTH

I give all the rest and residue of my estate to my children, if they survive me for two months, and if any of my children does not survive me for that period, to be divided among them in equal shares, as they shall agree or, if they shall fail to agree, the specific property that my children disagree upon must be sold within two years from the date of my death, and the proceeds of said sale to be distributed among my surviving children in equal shares.

SEVENTH

I nominate my child, Karen Diane Higgins as executor of this Will. If she is unable or unwilling to act or to continue to act as executor, then I nominate my child, Laura Ann Higgins as executor. No bond shall be required of my executor. I authorize my executor to sell, with or without notice, at either public or private sale, and to lease, any property belonging to my estate, subject only to any

confirmation of court that may be required by law.

EIGHTH

I give nothing to Doris Hall, Kenneth Moller, Rayetta Hall, Erik Moller, Henriette Moller, Lucille Brink, Justina Barnett, Esther Wallace, their heirs, spouses, or issue, if one or more of my children survive me for two months. Should none of my children survive me for two months, I give the rest and residue of my estate to Kenneth Moller, individually. If none of my children nor Kenneth Moller survive me for two months, I give the rest and residue of my estate to Lucille Brink, Individually.

NINTH

I wish to have my body cremated and my remains placed beside the remains of my mother, Lucy Hannon and wife, Janet Higgins at Woodlawn Cemetary.

TENTH

If any beneficiary under this Will shall directly or indirectly, by legal proceedings or otherwise, challenge or contest this Will or any of its provisions, or shall attempt in any way to oppose or set aside the probate of this Will or impair or invalidate any of the provisions I have made in it, any gift or other provision I have made to or for that person under this Will is revoked and shall be disposed of as if that contesting beneficiary had predeceased me without issue.

ELEVENTH

1. I have not entered into any contract to make a Will or a devise, not to revoke a Will or a devise, or to die intestate.
2. If any part, clause, provision, or condition of this Will is held to be void, inoperative, ineffective, or otherwise invalid, its invalidity shall not affect any other part, clause provision, or condition of this Will, and the remainder of this Will shall be carried into effect as if the invalid part, clause, provision, or condition had not been included.

3. As used in this Will, the masculine, feminine, or neuter gender, and the singular or plural number shall each be deemed to include the others whenever the context so indicates.

The foregoing Will is subscribed by me on this 23rd day of February, 1987, at Santa Monica, California.

ADMITTED TO PROBATE
Date **JUL 31 1992**
JAMES H. DEMPSEY County Clerk
By [Signature] Deputy

William Henry Higgins
WILLIAM HENRY HIGGINS

On the date written below, we, the undersigned, each being present at the same time, witnessed the signing of this instrument by William Henry Higgins. At that time, William Henry Higgins appeared to us to be of sound mind and memory and, to the best of our knowledge, was not acting under fraud, duress, menace, or undue influence. Understanding this instrument, which consists of four (4) pages, including this page, to be the Will of William Henry Higgins, we now subscribe our names as witnesses thereto.

We declare under penalty of perjury that the foregoing is true and correct, Executed at Santa Monica, California, on February 23, 1987.

William Bluford [Signature]
Residing at 2303 PINE ST.
LOS ANGELES, CA 90046

Luella J. Mangano
Residing at 1338 Pine St.
Santa Monica, Ca 90405

Alfred J. Mangano
Residing at 1338 Pine St.
Santa Monica Ca 90405



THE DOCUMENT TO WHICH THIS CERTIFICATE
 IS ATTACHED IS A FULL, TRUE AND CORRECT
 COPY OF THE ORIGINAL ON FILE AND IN THE
 CLERK'S OFFICE. **AUG 10 1983**
 ATTEST **EDWARD M KRITZINGER**
 of the Superior Court of the State
 of California for the County of Los Angeles
 By *[Signature]*

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 30th day
 of August A.D., 19 _____ at 3:27 o'clock P M., and duly recorded in Vol. M93
 of _____ Deeds _____ on Page 21891

FEE \$70.00

Evelyn Biehn County Clerk
 By *[Signature]*