

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 19.18
(ID # 12245)

MEETING DATE:
Tuesday, August 25, 2020


FROM: TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 212, Item 951. Last assessed to: James E. Leivan and Janet E. Leivan, husband and wife as joint tenants, District 3. [\$338,831-Fund 65595 Excess Proceeds from Tax Sale-100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Eastern Municipal Water District for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 964020016-2;
2. Approve the claim from The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 964020016-2;
3. Deny the claim from Global Discoveries, LTD, assignee for Cheryl Green as heir to the Estate of Janet E. Leivan;
4. Deny the claim from Global Discoveries, LTD, assignee for Denell DeWater as heir to the Estate of Janet E. Leivan;

ACTION: Policy


Matthew Jennings, Assistant Treasurer-Tax Collector 8/13/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: August 25, 2020
xc: Treasurer

Kecia R. Harper
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

5. Deny the claim from Global Discoveries, LTD, assignee for Patricia Deann Flanagan as heir to the Estate of Debra Wisner who was heir to the Estate of Janet E. Leivan;
6. Deny the claim from Global Discoveries, LTD, assignee for James Noel Flanagan heir to the Estate of Debra Wisner who was heir to the Estate of Janet E. Leivan;
7. Authorize and direct the Auditor-Controller to issue a warrant to Eastern Municipal Water District in the amount of \$224.86 and to The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation in the amount of \$338,607.11, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|---|-----------------------------|--------------------------|---------------------------|---------------------|
| COST | \$338,831 | \$ 0 | \$338,831 | \$ 0 |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale. | | | Budget Adjustment: | N/A |
| | | | For Fiscal Year: | 20/21 |

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, the Tax Collector conducted the May 01, 2018 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 26, 2018. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on July 18, 2018, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of Parties of Interest reports, Assessor's and Recorder's records, as well as various research methods used to obtain current mailing addresses for these parties of interest.

The Treasurer-Tax Collector has received six claims for excess proceeds:

1. Claim from Eastern Municipal Water District based on Lien Against Real Property for Unpaid Service Charges recorded August 28, 2017 as Instrument No. 2017-0355906 and a Demand for Payment/ Explanation of Charges Regarding an EMWD Lien received August 6, 2018.
2. Claim from The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation based on a Grant Deed recorded August 26, 1987 as Instrument No. 247355, a Certificate of Death for James E. Leivan, a Certificate of Death for Janet E. Leivan, and Letters of Administration with Will Annexed filed September 28, 2018 in Case Number PRMC1802244 of the Riverside County Superior Court.
3. Claim from Global Discoveries, LTD, assignee for Cheryl Green as heir to the Estate of Janet E. Leivan based on an Assignment of Right to Collect Excess Proceeds dated September 13, 2018, and a Grant Deed recorded August 26, 1987 as Instrument No. 247355.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

4. Claim from Global Discoveries, LTD, assignee for Denell DeWater as heir to the Estate of Janet E. Leivan based on an Assignment of Right to Collect Excess Proceeds dated September 13, 2018, and a Grant Deed recorded August 26, 1987 as Instrument No. 247355.
5. Claim from Global Discoveries, LTD, assignee for Patricia Deann Flanagan heir to the Estate of Debra Wisner who was heir to the Estate of Janet E. Leivan based on an Assignment of Right to collect Excess Proceeds dated April 17, 2019, and a Grant Deed recorded August 26, 1987 as Instrument No. 247355.
6. Claim from Global Discoveries, LTD, assignee for James Noel Flanagan heir to the Estate of Debra Wisner who was heir to the Estate of Janet E. Leivan based on an Assignment of Right to collect Excess Proceeds dated June 14, 2019, and a Grant Deed recorded August 26, 1987 as Instrument No. 247355.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Eastern Municipal Water District be awarded excess proceeds in the amount of \$224.86 and The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation be awarded excess proceeds in the amount of \$338,607.11. Since the amount claimed by The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation exceeds the amount of excess proceeds available there are no funds available for consideration for the claim from Global Discoveries, LTD, assignee for Cheryl Green as heir to the Estate of Janet E. Leivan, Denell DeWater as heir to the Estate of Janet E. Leivan, Patricia Deann Flanagan as heir to the Estate of Debra Wisner, as heir to the Estate of Janet E. Leivan, and James Noel Flanagan as heir to the Estate of Debra Wisner, as heir to the Estate of Janet E. Leivan. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.

Impact on Residents and Businesses

Excess proceeds will be released to a lienholder and the Administrator of the Estate of the last assessee of the property.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim EMWD

ATTACHMENT B. Claim Shoup

ATTACHMENT C. Claim Global


Stephanie P. P., Principal Management Analyst 8/17/2020


Gregory H. Priarios, Director County Counsel 8/10/2020

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 212 Item 951 Assessment Number: 964020016-2

Assessee: LEIVAN, JAMES E & JANET E

Situs: 32694 GALLEANO AVE WINCHESTER 92596

Date Sold: May 1, 2018

Date Deed to Purchaser Recorded: June 26, 2018

Final Date to Submit Claim: June 26, 2019

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 338,831.97 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. _____; recorded on _____. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

Pursuant to the attached letter, I have enclosed: Grant Deed dated July 30, 1987; Petition for Probate for the Estate of Janet E. Leivan; Order for Probate; Letters of Administration; Death Certificate for James Edward Leivan, Sr; and a Death Certificate for Janet Elaine Leivan.

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tenants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of October, 2018 at Valley Center, California
County, State


Signature of Claimant

Scott C. Tolstad c/o Shoup Legal
Print Name

38605 Calistoga Drive, Suite 120
Street Address
Murrieta, CA 92563

City, State, Zip
951-445-4114

Phone Number
jennifer@shouplegal.com

Email Address

Signature of Claimant

Print Name

Street Address

City, State, Zip

Phone Number

Email Address

REC'D
2018 NOV -7 11:01:21
RIVERSIDE CO. CALIF.
TREAS-TAX COLL.



SHOUP LEGAL
A PROFESSIONAL LAW CORPORATION

Plan today for peace of mind tomorrow.

November 6, 2018

Riverside County Treasurer-Tax Collector
Attn: Mary
P.O. Box 12005
Riverside, CA 92502-2205

Re: Claim for Excess Proceeds (Assessment No. 964020016-2)

To Whom it May Concern:

Enclosed is a copy of our correspondence dated October 26, 2018 for reference.

Once our letter and enclosures were received by your office, we were contacted by Mary who requested that we provide an original signed form of Claim for Excess Proceeds for the Sale of Tax-Defaulted Property as well as certified copies of Certificates of Death for both of the deceased owners of the subject property, each of which are enclosed.

Please contact our office with any questions or if any additional information is needed regarding the referenced claim.

Sincerely,

Kathleen A. Curtis, Assistant to
JENNIFER E. DEAN
SHOUP LEGAL, A Professional Law Corporation

AKS:kac
enclosures

cc: Scott Tolstad (w/out enclosures)

Please note the new address for our Murrieta office. Our phone number remains the same, (951) 445-4114.

Andrea K. Shoup, Attorney
Andrea@ShoupLegal.com

Jennifer E. Dean, Attorney
Jennifer@ShoupLegal.com

Jack D. Brown, Attorney
JackBrown@ShoupLegal.com

David A. Shoup, Attorney
David@ShoupLegal.com

Murrieta Location
Office: 951-445-4114
Fax: 951-445-4108
38605 Calistoga Drive, Suite 120
Murrieta, CA 92563

Desert Location
Office: 760-808-8115
Fax: 951-445-4108
78060 Calle Estado, Suite 15
La Quinta, CA 92253

1327172851.2

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY

RECEIVED

To: Jon Christensen, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

2018 OCT 29 PM 4: 22

TC 212 Item 951 Assessment Number: 964020016-2

RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

Assessee: LEIVAN, JAMES E & JANET E

Situs: 32694 GALLEANO AVE WINCHESTER 92586

Date Sold: May 1, 2018

Date Deed to Purchaser Recorded: June 26, 2018

Final Date to Submit Claim: June 26, 2019

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 338,831.97 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. _____; recorded on _____. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

Pursuant to the attached letter, I have enclosed: Grant Deed dated July 30, 1987; Petition for Probate for the Estate of Janet E. Leivan; Order for Probate; Letters of Administration; Death Certificate for James Edward Leivan, Sr; and a Death Certificate for Janet Elaine Leivan.

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tenants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of October, 2018 at Valley Center, California
County, State


Signature of Claimant

Signature of Claimant

Scott C. Tolstad c/o Shoup Legal
Print Name

Print Name

38605 Calistoga Drive, Suite 120
Street Address

Street Address

Murrieta, CA 92563
City, State, Zip

City, State, Zip

951-445-4114
Phone Number

Phone Number

jennifer@shouplegal.com
Email Address

Email Address



SHOUP LEGAL
A PROFESSIONAL LAW CORPORATION

Plan today for peace of mind tomorrow.

October 26, 2018

ATTN: Excess Proceeds
Jon Christensen, Treasurer-Tax Collector
Post Office Box 12005
Riverside, CA 92502-2205

Re: Claim for Excess Proceeds (Assessment No. 964020016-2)
Letter dated July 18, 2018 (attached)

To whom it may concern:

My office represents Scott C. Tolstad, the named Administrator with Will Annexed for the Estate of Janet Leivan. Enclosed please find the Order for Probate and Letters of Administration in reference to said case. Mr. Tolstad was nominated as Administrator by the son of the decedents, James Edward Leivan, Jr. I have also enclosed a copy of the *Petition for Probate*, wherein it is alleged that James Edward Leivan, Jr. is the sole devisee of Janet Leivan, pursuant to her Will dated April 1, 2012.

The referenced property was granted to James E. Leivan and Janet E. Leivan, husband and wife as joint tenants via a grant deed dated July 30, 1987. I have enclosed a copy of the Grant Deed whereby James E. Leivan and Janet E. Leivan took title. In addition, I have enclosed copies of the death certificates for Janet E. Leivan and James Edward Leivan, Sr. (who is the same James E. Leivan referenced on the attached Grant Deed) which show that Janet E. Leivan died on May 23, 2012 and James Edward Leivan, Sr. predeceased her in death on June 27, 2011.

My office is aware of the following heirs of the decedents, who are not named devisees pursuant to the Will of Janet Leivan:

Denell D. DeWater, daughter of Janet
Leivan

Adult

Andrea K. Shoup, Attorney
Andrea@ShoupLegal.com

Jennifer E. Dean, Attorney
Jennifer@ShoupLegal.com

Jack D. Brown, Attorney
JackBrown@ShoupLegal.com

David A. Shoup, Attorney
David@ShoupLegal.com

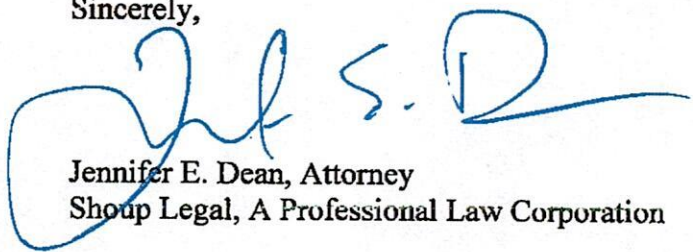
Murrieta Location
Office: 951-445-4114
Fax: 951-445-4108
38605 Calistoga Drive, Suite 120
Murrieta, CA 92563

Desert Location
Office: 760-808-8115
Fax: 951-445-4108
78060 Calle Estrado, Suite 15
La Quinta, CA 92253

| | |
|---|----------|
| Cheryl J. Green, daughter of Janet Leivan | Adult |
| Debra Willoughby Wisner, predeceased daughter of Janet Leivan | Deceased |
| James Edward Leivan, Jr., son of Janet Leivan; named beneficiary of Will dated April 1, 2012 | Adult |
| James Edward Leivan, Sr. predeceased spouse of Janet Leivan | Deceased |
| Gary Lee Flanagan, issue of deceased daughter Debra Willoughby Wisner | Deceased |
| Carrie Willoughby Pulido, issue of deceased daughter Debra Willoughby Wisner | Adult |
| Michael Willoughby, predeceased issue of deceased daughter Debra Willoughby Wisner | Deceased |
| Patricia Deanne Flanagan, issue of deceased daughter Debra Willoughby Wisner | Adult |
| James Noel Flanagan, issue of deceased daughter Debra Willoughby Wisner | Adult |
| Debra Megan Flanagan, issue of the issue of deceased daughter Debra Willoughby Wisner's son Gary Lee Flanagan | Adult |

Please contact my Murrieta office if your office requires any further documentation regarding the referenced claim.

Sincerely,



Jennifer E. Dean, Attorney
Shoup Legal, A Professional Law Corporation

enclosures

cc: Scott C. Tolstad, Administrator (w/enclosures)

Andrea K. Shoup, Attorney
Andrea@ShoupLegal.com

Jennifer E. Dean, Attorney
Jennifer@ShoupLegal.com

Jack D. Brown, Attorney
JackBrown@ShoupLegal.com

David A. Shoup, Attorney
David@ShoupLegal.com

Murrieta Location
Office: 951-445-4114
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La Quinta, CA 92253

COUNTY OF RIVERSIDE
County Administrative Center-4th Floor
4080 Lemon Street, P.O. Box 12005
Riverside, CA 92502-2205



Satellite Offices

Palm Desert Office
375486 111 Camino Rd
Palm Desert, CA 92211

Temecula Office
40035 County Center Dr. Suite C
Temecula, CA 92591

951-955-3900
951-955-3990 - Fax
www.countytreasurer.org
E-mail: rcttc@riversco.org



JENNIFER DEAN
29995 TECHNOLOGY DR STE #101
MURRIETA CA 92563

USPS CERTIFIED MAIL



9214 8901 4298 0402 2185 16

July 18, 2018

EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY

Assessment Number 961020016-2 TC: 212 ITEM: 951
Situation Address: 32694 GALILEANO AVE WINCHESTER 92596
Assessee: LEIVAN, JAMES F & JANET E
Date Sold: May 1, 2018
Deed to Purchaser Recorded: June 26, 2018
Final Date to Submit Claim: June 26, 2019

Dear Sir or Madame:

The property referenced above was declared subject to the Treasurer-Tax Collector's power of sale for non-payment of taxes and later sold. Parties of Interest, as defined in Section 4675 of the California Revenue and Taxation Code (e.g., the last assessee and any lienholders of record), have a right to file a claim for any excess proceeds that remain after the tax liens and the costs of the sale have been satisfied. Our records indicate that you may be a party of interest, and we have enclosed a claim form for your convenience. Please note that your claim must be filed within one (1) year from the date the deed to the purchaser was recorded (shown above). By law, we cannot accept claims after the one (1) year period from this recording date. Claims submitted will be evaluated by our legal counsel and awarded in accordance with state law. The submission of a claim merely initiates that review.

The enclosed form is relatively simple and we must stress that most applicants will be able to fill it out without help. However, if you need help, please feel free to contact our office by mail, telephone or in person and we will help you without charge. You may telephone us at (951) 955-3336.

If you prefer to have an agent file your claim for you, or if you should decide to sell your claim (often referred to as an "assignment") so that the purchaser of the claim may receive the funds, please advise us and we will send the proper form.

In addition, please note that the statutory procedures and the County's internal procedures dictate that most claims will not be processed until at least twenty (20) months following the date of recordation of the tax deed.

Sincerely,

JON CHRISTENSEN
TREASURER-TAX COLLECTOR
TAX SALE OPERATIONS

CLAIM FORM INSTRUCTIONS

The California Revenue and Taxation Code, Section 4675, states in part (paraphrased):

For the purposes of this article, parties of interest and their order of priority are:

(a) First, lienholders of record prior to the recordation of the tax deed to the purchaser in the order of their priority; and

(b) Then, any person with title of record to all or any portion of the property prior to the recordation of the tax deed to the purchaser.

If you consider yourself to be a party of interest in the sale of tax-defaulted property as defined above, please fill out the claim form provided stating how you have determined your status as a party of interest. If you need help in filling out the form, please contact our office by telephone at 951-955-3336, mail, or in person.

You must attach copies of documents to support your claim as follows:

1. In case (a), attach a copy of your trust deed or other evidence of lien or security interest, along with a statement under penalty of perjury setting forth the original amount of the lien or interest, the total amount of payments received reducing the original amount of the lien or interest, and the amount still due and payable as of the date of the sale of the tax defaulted property by the Treasurer-Tax Collector.
2. In case (b), attach copies of any other documents (e.g., deed, certified death certificate, will, court order, etc.) supporting your claim.

PLEASE NOTE: By law, claims cannot be processed until one (1) year has passed from the date of the deed to the purchaser. In order to receive consideration by the Riverside County Board of Supervisors, claims must be filed **ON OR BEFORE THE EXPIRATION OF ONE (1) YEAR** following the date of the recording of the deed to the purchaser. Please see the "Date Deed to Purchaser Recorded" appearing on the enclosed notice. The Treasurer-Tax Collector will submit a recommendation to the County Board of Supervisors as to what disposition should be made on your claim. Following the Board's review, the claim will either be approved or denied. The Clerk of the Board of Supervisors will notify you of the action taken by the Board. Should the claim be approved, the Auditor-Controller will issue a County warrant in payment. By law, the Auditor-Controller cannot issue a warrant in payment of the approved claim until ninety (90) days following the action taken by the Board.

MAIL COMPLETED FORMS TO:

Jon Christensen, Treasurer-Tax Collector
Post Office Box 12005
Riverside, CA 92502-2205

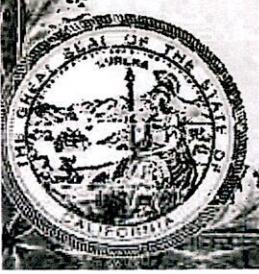
Attention: Excess Proceeds

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE
RIVERSIDE, CALIFORNIA

CERTIFICATE OF DEATH 3201233005600

| | | | | | |
|--|--|--|--|--------------------------------------|--|
| DATE OF DEATH JANET | | SEX E. | | LAST NAME LEIVAN | |
| AREA OF BIRTH (STATE OR FOREIGN COUNTRY) CA | | DATE OF BIRTH (MM/DD/YYYY) 12/03/1935 | | AGE AT DEATH (Y/M/D) 76 | |
| MARRIAGE STATUS WIDOWED | | DATE OF DEATH (MM/DD/YYYY) 05/23/2012 | | TIME OF DEATH (HH:MM) 0107 | |
| EDUCATION HS GRADUATE | | RACE <input checked="" type="checkbox"/> CAUCASIAN | | | |
| OCCUPATION HOMEMAKER | | TYPE OF HOME OWN HOME | | | |
| RESIDENCE AT DEATH 32694 GALLEANO AVE | | | | | |
| CITY WINCHESTER | | COUNTY RIVERSIDE | | STATE OF BIRTH CA | |
| NAME OF DECEASED'S NEXT OF KIN (NAME AND ADDRESS) JAMES LEIVAN JR., SON 32694 GALLEANO AVE, WINCHESTER, CA 92596 | | | | | |
| MOTHER'S MAIDEN NAME UKN | | FATHER'S NAME CARTER | | MOTHER'S MAIDEN NAME UKN | |
| MOTHER'S MAIDEN NAME UKN | | FATHER'S NAME UKN | | MOTHER'S MAIDEN NAME UKN | |
| PLACE OF BIRTH RIVERSIDE | | CITY WINCHESTER | | STATE OF BIRTH CA | |
| CAUSE OF DEATH CHRONIC OBSTRUCTIVE PULMONARY DISEASE | | | | | |
| MANNER OF DEATH NONE | | | | | |
| DATE OF DEATH 05/23/2012 | | | | | |
| PLACE OF DEATH 399 E HIGHLAND AVE STE 222 SAN BERNARDINO, CA 92404 | | | | | |
| SIGNATURE OF REGISTRAR JEAN-CLAUDE HAGE M.D. | | | | | |
| DATE OF DEATH 05/23/2012 | | | | | |



CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA }
 COUNTY OF RIVERSIDE } SS

This is a true and exact reproduction of the document officially registered and filed on file in the office of the County of Riverside, Department of Health.

Jun 14, 2012

DATE ISSUED

Dr. Cameron Hage, M.D., Health Officer
 RIVERSIDE COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved burden displaying seal and signature of Registrar.



STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

CERTIFICATE OF DEATH

3201133011244

| | | | |
|--|--|--|--|
| STATE FILE NUMBER | | LOCAL REGISTRATION NUMBER | |
| 1. NAME OF DECEASED - FIRST (LAST) | | 2. MIDDLE | |
| JAMES | | EDWARD | |
| 3. LAST PREFIX | | 4. DATE OF BIRTH - month/day | |
| LEIVAN | | 12/30/1932 | |
| 5. AGE Yrs. | | 6. SEX | |
| 78 | | M | |
| 7. PLACE OF BIRTH - State | | 8. RACE | |
| ARIZONA | | WHITE | |
| 9. MARRIAGE STATUS - If not at home | | 10. DATE OF DEATH - month/day | |
| MARRIED | | 06/27/2011 | |
| 11. HOUR OF DEATH | | 12. TIME OF DEATH | |
| 1318 | | | |
| 13. OCCUPATION - Type of work or trade | | 14. BUSINESS OR INDUSTRY - If not at home | |
| MAINTENANCE MAN | | MACHINE SHOP | |
| 15. YEARS IN OCCUPATION | | 16. YEARS IN INDUSTRY | |
| 21 | | | |
| 17. DECEASED'S RESIDENCE (Street or P.O. Box, or location) | | | |
| 32694 GALLEANO AVENUE | | | |
| 18. CITY | | 19. COUNTY | |
| WINCHESTER | | RIVERSIDE | |
| 20. ZIP CODE | | 21. YEARS IN COUNTY | |
| 92698 | | 24 | |
| 22. STATE OF BIRTH | | 23. STATE OF DEATH | |
| CA | | CA | |
| 24. DECEASED'S MARITAL STATUS (Date and place of birth, if not at home, first and last) | | | |
| JANET LEIVAN, WIFE 32694 GALLEANO AVENUE, WINCHESTER, CA 92586 | | | |
| 25. NAME OF SPOUSE (Last, first, middle) | | 26. LAST BIRTH NAME | |
| JANET | | CARTER | |
| 27. NAME OF FATHER (Last, first, middle) | | 28. LAST BIRTH NAME | |
| LESTER | | LEIVAN | |
| 29. NAME OF MOTHER (Last, first, middle) | | 30. LAST BIRTH NAME | |
| EVELYN | | ENGLAND | |
| 31. DECEASED'S DATE OF DEATH | | 32. PLACE OF FINAL DISPOSITION | |
| 11/02/2011 | | RES. JANET LEIVAN 32694 GALLEANO AVENUE, WINCHESTER, CA 92586 | |
| 33. TYPE OF DISPOSITION | | 34. DISPOSITION OF REMAINS | |
| CR/RES | | NOT EMBALMED | |
| 35. NAME OF FUNERAL ESTABLISHMENT | | 36. LICENSE NUMBER | |
| ENGLAND FAMILY MORTUARY, INC. | | FD 1934 | |
| 37. NAME OF LOCAL REGISTRAR | | 38. DATE OF DEATH | |
| CAMERON KAISER, MD | | 10/31/2011 | |
| 39. PLACE OF BIRTH | | | |
| RANCHO SPRINGS MEDICAL CENTER | | | |
| 40. CITY | | 41. COUNTY | |
| MURRIETA | | RIVERSIDE | |
| 42. CAUSE OF DEATH (Enter the main cause of death - circled. If multiple causes, list all. Do not enter "see autopsy" unless specifically requested. Do not abbreviate.) | | | |
| HYPERTENSIVE AND ARTERIOSCLEROTIC CARDIOVASCULAR DISEASE | | | |
| 43. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN BY ICD | | 44. CHRONIC OBSTRUCTIVE PULMONARY DISEASE | |
| NO | | NO | |
| 45. SIGNATURE OF CORONER/DEPUTY CORONER | | | |
| WENDY SPYKSTRA | | | |
| 46. DATE OF SIGNATURE | | 47. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER | |
| 07/11/2011 | | WENDY SPYKSTRA, DEPUTY CORONER | |



CERTIFIED COPY OF VITAL RECORDS STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

This is a true and exact reproduction of the original officially registered and placed on file in the Office of the County of Riverside, Superior-City Clerk-Recorder

DATE ISSUED JUN 1 3 2015

This copy is not valid unless prepared on engraved border displaying date and seal signature to the Superior-City Clerk-Recorder

ANY ALTERATION OR ERASURE VOID THIS CERTIFICATE



Larry W. Ward
LARRY W. WARD
SUPERIOR-CITY CLERK-RECORDER
RIVERSIDE COUNTY, CALIFORNIA

| | |
|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY: Jennifer E. Dean SBN 315583 Shoup Legal, A Professional Law Corporation 38605 Calistoga Drive, Suite 120 Murrieta, California 92563 TELEPHONE NO.: 951-445-4114 FAX NO.: 951-445-4108 E-MAIL ADDRESS: jennifer@shouplegal.com ATTORNEY FOR (name): Scott C. Tolstad, Petitioner | FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE AUG 13 2018 L. FULSAAS |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE <input type="checkbox"/> INDIO 48-200 Oasis St., Indio, CA 92201 <input type="checkbox"/> RIVERSIDE 4050 Main St., Riverside, CA 92501 <input checked="" type="checkbox"/> TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591 | |
| ESTATE OF (name): Janet Elaine Leivan, a.k.a. Janet E. Leivan DECEDENT | |
| PETITION FOR <input type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters Testamentary <input checked="" type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters of Administration with Will Annexed <input type="checkbox"/> Letters of Administration <input type="checkbox"/> Letters of Special Administration <input type="checkbox"/> with general powers <input checked="" type="checkbox"/> Authorization to Administer Under the Independent Administration of Estates Act <input type="checkbox"/> with limited authority | CASE NUMBER: PRMC 1802244 HEARING DATE AND TIME: 9-28-18 8:30 DEPT.: TI |

1. Publication will be in (specify name of newspaper): The Press Enterprise

- a. Publication requested.
 b. Publication to be arranged.

2. Petitioner (name each): Scott Tolstad

requests that

a. decedent's will and codicils, if any, be admitted to probate.

b. (name): Scott C. Tolstad

be appointed

- (1) executor
 (2) administrator with will annexed
 (3) administrator
 (4) special administrator with general powers
 and Letters issue upon qualification.

c. full limited authority be granted to administer under the Independent Administration of Estates Act.

d. (1) bond not be required for the reasons stated in item 3e.

(2) \$ bond be fixed. The bond will be furnished by an admitted surety insurer or as otherwise provided by law. (Specify reasons in Attachment 2 if the amount is different from the maximum required by Prob. Code, § 8482.)

(3) \$ in deposits in a blocked account be allowed. Receipts will be filed.
 (Specify institution and location):

3. a. Decedent died on (date): 05/23/2012 at (place): Winchester, CA (copy of death certificate attached)

- (1) a resident of the county named above.
 (2) 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. Decedent was a citizen of a country other than the United States (specify country):

c. Street address, city, and county of decedent's residence at time of death (specify):
 32694 Galleano Avenue, Winchester, CA 92596

| | | |
|--|----------|--------------|
| ESTATE OF (name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | DECEDENT | CASE NUMBER: |
|--|----------|--------------|

3. d. Character and estimated value of the property of the estate (complete in all cases):

- (1) Personal property: \$ 339,000.00
- (2) Annual gross income from
- (a) real property: \$
- (b) personal property: \$
- (3) Subtotal (add (1) and (2)): \$ _____
- (4) Gross fair market value of real property: \$
- (5) (Less) Encumbrances: (\$ _____)
- (6) Net value of real property: \$ 339,000.00
- (7) Total (add (3) and (6)): \$ 339,000.00

- e. (1) Will waives bond. Special administrator is the named executor, and the will waives bond.
- (2) All beneficiaries are adults and have waived bond, and the will does not require a bond. (Affix waiver as Attachment 3e(2).)
- (3) All heirs at law are adults and have waived bond. (Affix waiver as Attachment 3e(3).)
- (4) Sole personal representative is a corporate fiduciary or an exempt government agency.
- f. (1) Decedent died intestate.
- (2) Copy of decedent's will dated: 4/1/2012 codicil dated _____ (specify for each):
are affixed as Attachment 3f(2). (Include typed copies of handwritten documents and English translations of foreign-language documents.)
- The will and all codicils are self-proving (Prob. Code, § 8220).
- (3) The original of the will and/or codicil identified above has been lost. (Affix a copy of the lost will or codicil or a written statement of the testamentary words or their substance in Attachment 3f(3), and state reasons in that attachment why the presumption in Prob. Code, § 6124 does not apply.)

g. Appointment of personal representative (check all applicable boxes):

- (1) Appointment of executor or administrator with will annexed:
- (a) Proposed executor is named as executor in the will and consents to act.
- (b) No executor is named in the will.
- (c) Proposed personal representative is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3g(1)(c).)
- (d) Other named executors will not act because of death declination other reasons (specify): _____

Continued in Attachment 3g(1)(d).

- (2) Appointment of administrator:
- (a) Petitioner is a person entitled to Letters. (If necessary, explain priority in Attachment 3g(2)(a).)
- (b) Petitioner is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3g(2)(b).)
- (c) Petitioner is related to the decedent as (specify): _____
- (3) Appointment of special administrator requested. (Specify grounds and requested powers in Attachment 3g(3).)
- (4) Proposed personal representative would be a successor personal representative.

h. Proposed personal representative is a

- (1) resident of California.
- (2) nonresident of California (specify permanent address): _____

- (3) resident of the United States.
- (4) nonresident of the United States.

| | | |
|--|----------|--------------|
| ESTATE OF (name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | DECEDENT | CASE NUMBER: |
|--|----------|--------------|

4. Decedent's will does not preclude administration of this estate under the Independent Administration of Estates Act.
5. a. Decedent was survived by (check items (1) or (2), and (3) or (4), and (5) or (6), and (7) or (8))
- (1) spouse.
 - (2) no spouse as follows:
 - (a) divorced or never married.
 - (b) spouse deceased.
 - (3) registered domestic partner.
 - (4) no registered domestic partner. (See Fam. Code, § 297.5(c); Prob. Code, §§ 37(b), 6401(c), and 6402.)
 - (5) child as follows:
 - (a) natural or adopted.
 - (b) natural adopted by a third party.
 - (6) no child.
 - (7) issue of a predeceased child.
 - (8) no issue of a predeceased child.
- b. Decedent was was not survived by a stepchild or foster child or children who would have been adopted by decedent but for a legal barrier. (See Prob. Code, § 6454.)
6. (Complete if decedent was survived by (1) a spouse or registered domestic partner but no issue (only a or b apply), or (2) no spouse, registered domestic partner, or issue. (Check the first box that applies):
- a. Decedent was survived by a parent or parents who are listed in item 8.
 - b. Decedent was survived by issue of deceased parents, all of whom are listed in item 8.
 - c. Decedent was survived by a grandparent or grandparents who are listed in item 8.
 - d. Decedent was survived by issue of grandparents, all of whom are listed in item 8.
 - e. Decedent was survived by issue of a predeceased spouse, all of whom are listed in item 8.
 - f. Decedent was survived by next of kin, all of whom are listed in item 8.
 - g. Decedent was survived by parents of a predeceased spouse or issue of those parents, if both are predeceased, all of whom are listed in item 8.
 - h. Decedent was survived by no known next of kin.
7. (Complete only if no spouse or issue survived decedent.)
- a. Decedent had no predeceased spouse.
 - b. Decedent had a predeceased spouse who
 - (1) died not more than 15 years before decedent and who owned an interest in real property that passed to decedent,
 - (2) died not more than five years before decedent and who owned personal property valued at \$10,000 or more that passed to decedent. (If you checked (1) or (2), check only the first box that applies):
 - (a) Decedent was survived by issue of a predeceased spouse, all of whom are listed in item 8.
 - (b) Decedent was survived by a parent or parents of the predeceased spouse who are listed in item 8.
 - (c) Decedent was survived by issue of a parent of the predeceased spouse, all of whom are listed in item 8.
 - (d) Decedent was survived by next of kin of the decedent, all of whom are listed in item 8.
 - (e) Decedent was survived by next of kin of the predeceased spouse, all of whom are listed in item 8.
 - (3) neither (1) nor (2) apply.
8. Listed on the next page are the names, relationships to decedent, ages, and addresses, so far as known to or reasonably ascertainable by petitioner, of (1) all persons mentioned in decedent's will or any codicil, whether living or deceased; (2) all persons named or checked in items 2, 5, 6, and 7; and (3) all beneficiaries of a trust named in decedent's will or any codicil in which the trustee and personal representative are the same person.

| | | |
|--|----------|--------------|
| ESTATE OF (name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | DECEDENT | CASE NUMBER: |
|--|----------|--------------|

8. Name and relationship to decedent Age Address

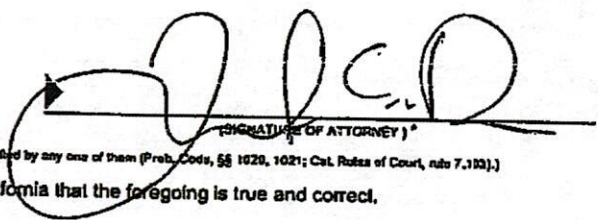
| | | | |
|-----|--|-------|---|
| (1) | Scott Tolstad, Petitioner; nominated as administrator with will annexed | Adult | P.O. Box 897 Valley Center, CA 92082 |
| (2) | Denell D. Dewater, daughter | Adult | 1855 Baring Blvd., Apt. 2203 Sparks, NV 89434-6791 |
| (3) | Cheryl J. Green, daughter | Adult | 2607 Gemline Avenue Bakersfield, CA 93304-5414 |
| (4) | Debra Willoughby Wisner, predeceased daughter | Adult | Deceased (DOD 6/9/1994) |
| (5) | James Edward Leivan, Jr., son; named beneficiary of Will dated 4/1/2012 | Adult | 32694 Galleano Avenue Winchester, CA 92596 |
| (6) | James Edward Leivan, Sr., predeceased spouse | Adult | Deceased (DOD 6/27/2011) |
| (7) | Gary Leivan, issue of deceased daughter Debra Willoughby Wisner | Adult | Unknown |
| (8) | Carrie Willoughby Pulido, issue of deceased daughter Debra Willoughby Wisner | Adult | 15190 Sage Lane Weldon, CA 93283 |
| (9) | Michael Willoughby, predeceased issue of deceased daughter Debra Willoughby Wisner | Adult | Deceased (DOD 2/2/1974) |

Continued on Attachment 8.

9. Number of pages attached: 5

Date: 8/10/2018

Jennifer E. Dean
(TYPE OR PRINT NAME OF ATTORNEY)


(SIGNATURE OF ATTORNEY)*

* (Signatures of all petitioners are also required. All petitioners must sign, but the petition may be verified by any one of them (Prob. Code, §§ 1020, 1021; Cal. Rules of Court, rule 7.103).)

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

Date: 8/10/2018

Scott C. Tolstad
(TYPE OR PRINT NAME OF PETITIONER)


(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME OF PETITIONER)

(SIGNATURE OF PETITIONER)

Signatures of additional petitioners follow last attachment.

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE
RIVERSIDE, CALIFORNIA

CERTIFICATE OF DEATH 3201233005600

| | | | |
|---|--|--|--|
| STATE FILE NUMBER | | LAST FAMILY | |
| 1. NAME OF DECEDENT - FIRST (Given) | | 3. LAST FAMILY | |
| JANET | | LEIVAN | |
| 2. MIDDLE | | LOCAL REGISTRATION NUMBER | |
| E. | | | |
| 14. ALSO KNOWN AS - include full name (FIRST, MIDDLE, LAST) | | | |
| 4. DATE OF BIRTH | | 5. AGE YRS. | |
| 12/03/1935 | | 76 | |
| 6. BIRTH STATE/FORIGN COUNTRY | | 7. DATE OF DEATH | |
| CA | | 05/23/2012 | |
| 8. SOCIAL SECURITY NUMBER | | 9. HOURS 01-24 | |
| REDACTED | | 0107 | |
| 10. BIRTH STATE/FORIGN COUNTRY | | 11. BORN IN U.S. ARMED FORCES | |
| CA | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> U.K. | |
| 12. EDUCATION - highest level completed (see instructions on back) | | 13. OCCIDENT'S RACE - Use to 2 races only (see instructions on back) | |
| HS GRADUATE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | CAUCASIAN | |
| 17. USUAL OCCUPATION - Type of work for most of the DO NOT USE RETIRED | | 18. YEARS IN OCCUPATION | |
| HOMEMAKER | | 80 | |
| 19. DECEDENT'S RESIDENCE (Street and number, or location) | | | |
| 32694 GALLEANO AVE | | | |
| 21. CITY | | 22. STATE/FORIGN COUNTRY | |
| WINCHESTER | | CA | |
| 23. COUNTY/PROVINCE | | 24. ZIP CODE | |
| RIVERSIDE | | 92568 | |
| 25. YEARS IN COUNTY | | 26. STATE/FORIGN COUNTRY | |
| 25 | | CA | |
| 27. INFORMANT'S NAME, RELATIONSHIP | | 28. INFORMANT'S ADDRESS (Street and number, or care facility, city or town, state, and zip) | |
| JAMES LEIVAN JR., SON | | 32694 GALLEANO AVE, WINCHESTER, CA 92568 | |
| 29. NAME OF SURVIVING SPOUSE/POSP - FIRST | | 30. LAST BIRTH NAME | |
| UKN | | UKN | |
| 31. NAME OF FATHER/PARENT - FIRST | | 32. LAST BIRTH NAME | |
| UKN | | UKN | |
| 33. NAME OF MOTHER/PARENT - FIRST | | 34. LAST BIRTH NAME | |
| UKN | | UKN | |
| 35. DEPOSIT DATE | | 36. PLACE OF FINAL DISPOSITION | |
| 05/29/2012 | | RES. JAMES LEIVAN JR. 32694 GALLEANO AVE, WINCHESTER, CA 92596 | |
| 37. TYPE OF DISPOSITION | | 38. CHARACTER OF EMBALMER | |
| CR/RES | | NOT EMBALMED | |
| 39. NAME OF FUNERAL ESTABLISHMENT / | | 40. LICENSE NUMBER | |
| ENGLAND FAMILY MORTUARY, INC. | | FD 1934 | |
| 41. SIGNATURE OF LOCAL REGISTRAR | | 42. DATE | |
| CAMERON KAISER, MD | | 05/29/2012 | |
| 43. PLACE OF DEATH | | 44. IF HOSPITAL, SPECIFY ONE | |
| RESIDENCE | | <input type="checkbox"/> P. <input type="checkbox"/> EPIC <input type="checkbox"/> OCH <input type="checkbox"/> Hospice <input type="checkbox"/> Nursing Home <input checked="" type="checkbox"/> Decedent's Home <input type="checkbox"/> Other | |
| 45. COUNTY | | 46. CITY | |
| RIVERSIDE | | WINCHESTER | |
| 47. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location) | | 48. CITY | |
| 32694 GALLEANO AVE | | WINCHESTER | |
| 49. CAUSE OF DEATH | | 50. CORNIFIED TO DEPTH OF | |
| IMMEDIATE CAUSE (Final classes or complete heading to cause) -> CHRONIC OBSTRUCTIVE PULMONARY DISEASE | | YRS 2012-04485 | |
| 51. UNDERLYING CAUSE (Primary or secondary cause of death) -> | | 52. ALTERED PERFORMED? | |
| NONE | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| 53. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 51 | | 54. ALTERED PERFORMED? | |
| NONE | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| 55. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 51 OR 53? (If yes, list type of condition and case.) | | 56. IF FEMALE, PREPARED IN LAST YEAR? | |
| NO | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> U.K. | |
| 57. COPY THIS TO THE BEST OF ANY HIGH SCHOOL GRADUATE OCCUPIED AT THE HOUR DATE AND PLACE (STREET AND NUMBER) OF DEATH | | 58. SIGNATURE AND TITLE OF CORNER | |
| 03/27/2012 05/23/2012 | | JEAN-CLAUDE HAGE M.D. | |
| 59. TYPE ATENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE | | 60. LICENSE NUMBER | |
| JEAN-CLAUDE HAGE M.D. | | G77308 | |
| 61. COPY THIS TO THE BEST OF ANY HIGH SCHOOL GRADUATE OCCUPIED AT THE HOUR DATE AND PLACE (STREET AND NUMBER) OF DEATH | | 62. DATE | |
| 03/27/2012 05/23/2012 | | 05/24/2012 | |
| 63. MANNER OF DEATH <input type="checkbox"/> Natural <input type="checkbox"/> Accidental <input type="checkbox"/> Homicide <input type="checkbox"/> Suicide <input type="checkbox"/> Pending investigation <input type="checkbox"/> Could not be determined | | 64. INJURED AT WORK? | |
| | | <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> U.K. | |
| 65. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.) | | 66. INJURY DATE | |
| | | | |
| 67. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury) | | 68. HOUR 24 HOURS | |
| | | | |
| 69. LOCATION OF INJURY (Street and number, or location, and city, and zip) | | 70. SIGNATURE OF CORNER / DEPUTY CORNER | |
| | | | |
| 71. SIGNATURE OF CORNER / DEPUTY CORNER | | 72. DATE | |
| | | | |
| 73. TYPE NAME, TITLE OF CORNER / DEPUTY CORNER | | 74. STATE REGISTRATION | |
| | | A B C D E | |
| 75. COUNTY OF PUBLIC HEALTH | | 76. COUNTY OF PUBLIC HEALTH | |
| RIVERSIDE | | RIVERSIDE | |

STATE OF CALIFORNIA }
 COUNTY OF RIVERSIDE } 55

This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside, Department of Health.

DATE ISSUED **Jun 14, 2012**

Dr. Cameron Kaiser, M.D., Health Officer
 RIVERSIDE COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.



ANY ALTERATION OR ERASURE VOID THIS CERTIFICATE

I hereby declare that this is my last will and testament and that I hereby revoke, cancel and annul all wills and codicils previously made by me either jointly or severally. I declare that I am of legal age to make this will and of sound mind and that this last will and testament expresses my wishes without undue influence or duress.

I bequeath the whole of my estate, property and effects, whether movable or immovable, wheresoever situated and of whatsoever nature to my son James Edmund Leivan Jr.

Signed on this 1st day of April 20 12

SIGNED: Janet Leivan

Witness Name: GILBERT T. VIDAL
Gilbert T. Vidal
Signature: Gilbert T. Vidal

| | |
|--|--------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 315583 NAME: Jennifer E. Dean FIRM NAME: Shoup Legal, A Professional Law Corporation STREET ADDRESS: 38605 Calistoga Drive, Suite 120 CITY: Murrieta STATE: CA ZIP CODE: 92563 TELEPHONE NO.: 951-445-4114 FAX NO.: 951-445-4108 E-MAIL ADDRESS: jennifer@shouplegal.com ATTORNEY FOR (name): Scott C. Tolstad, Petitioner | FOR COURT USE ONLY |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS: 41002 County Center Drive, Suite 100 MAILING ADDRESS: 41002 County Center Drive, Suite 100 CITY AND ZIP CODE: Temecula, CA 92591 BRANCH NAME: Temecula Courthouse | |
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan, DECEDENT | |
| WAIVER OF BOND BY HEIR OR BENEFICIARY <input type="checkbox"/> Attachment 3e to Petition for Probate* | CASE NUMBER: |

NOTICE: READ PARAGRAPHS A-G BEFORE YOU SIGN

- A. A bond is a form of insurance to replace assets that may be mismanaged or stolen by the executor or administrator (the estate's personal representative). The cost of the bond is paid from the assets of the estate.
- B. A bond may not be required if the decedent's will admitted to probate waives a bond and the court approves.
- C. If the decedent's will does not waive bond, or if the decedent died without a will, the law ordinarily requires the personal representative to give a bond approved and ordered by the court. However, all persons eligible to receive a share of the estate may waive the requirement of a bond. If they all waive bond and the court approves, the personal representative will NOT have to give a bond.
- D. If bond is not ordered by the court, and the estate suffers loss because the personal representative fails to properly perform the duties of the office, the loss or some part of it may not be recoverable from the personal representative. If so, your share of the estate may be partly or entirely lost.
- E. You may waive the requirement of a bond by signing this form and delivering it to the petitioner for appointment of a personal representative or to the petitioner's attorney. Your waiver cannot be withdrawn after the court appoints the personal representative without requiring a bond. However, if you sign a waiver of bond, you may later petition the court to require a bond.
- F. A guardian ad litem or other legal representative with specific authority under law to waive bond must sign for a minor, an incapacitated person, an unascertained beneficiary, or a designated class of persons who are not ascertained or not yet in being. See Judicial Council forms DE-350 and DE-351 and Probate Code section 1003.
- G. If you do not understand this form, do not sign it until you have asked a lawyer (who is independent of the lawyer for the proposed personal representative) to explain it to you.

WAIVER

- I have read and understand paragraphs A through G above.
- I understand that before signing this form, I am free to consult with a lawyer of my choice concerning the possible consequences to me of waiving bond.
- I understand that I do not have to waive bond to allow the estate administration to begin or proceed, or to receive my share of the estate.
- I WAIVE the posting of bond in this estate by (name of personal representative): Scott C. Tolstad

Date: 5/31/2018

James E. Leivan, Jr.
 (TYPE OR PRINT NAME OF BENEFICIARY (AND AUTHORIZED SIGNER, IF BENEFICIARY IS NOT AN INDIVIDUAL))


 (SIGNATURE)

(This form may be filed as an independent form (as form DE-142) OR as Attachment 3e(2) (will) or Attachment 3e(3) (Intestacy) to the Petition for Probate (form DE-111) (as form DE-111(A-3e).)

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 19.18
(ID # 12245)**

MEETING DATE:
Tuesday, August 25, 2020

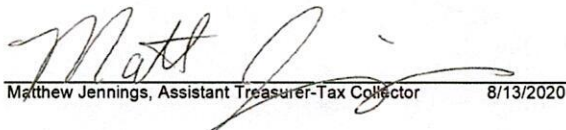
FROM: TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 212, Item 951. Last assessed to: James E. Leivan and Janet E. Leivan, husband and wife as joint tenants, District 3. [\$338,831-Fund 65595 Excess Proceeds from Tax Sale-100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Eastern Municipal Water District for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 964020016-2;
2. Approve the claim from The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 964020016-2;
3. Deny the claim from Global Discoveries, LTD, assignee for Cheryl Green as heir to the Estate of Janet E. Leivan;
4. Deny the claim from Global Discoveries, LTD, assignee for Denell DeWater as heir to the Estate of Janet E. Leivan;

ACTION: Policy


Matthew Jennings, Assistant Treasurer-Tax Collector 8/13/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: August 25, 2020
xc: Treasurer

Kecia R. Harper
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

5. Deny the claim from Global Discoveries, LTD, assignee for Patricia Deann Flanagan as heir to the Estate of Debra Wisner who was heir to the Estate of Janet E. Leivan;
6. Deny the claim from Global Discoveries, LTD, assignee for James Noel Flanagan heir to the Estate of Debra Wisner who was heir to the Estate of Janet E. Leivan;
7. Authorize and direct the Auditor-Controller to issue a warrant to Eastern Municipal Water District in the amount of \$224.86 and to The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation in the amount of \$338,607.11, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|---|-----------------------------|--------------------------|---------------------------|---------------------|
| COST | \$338,831 | \$ 0 | \$338,831 | \$ 0 |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale. | | | Budget Adjustment: | N/A |
| | | | For Fiscal Year: | 20/21 |

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, the Tax Collector conducted the May 01, 2018 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 26, 2018. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on July 18, 2018, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of Parties of Interest reports, Assessor's and Recorder's records, as well as various research methods used to obtain current mailing addresses for these parties of interest.

The Treasurer-Tax Collector has received six claims for excess proceeds:

1. Claim from Eastern Municipal Water District based on Lien Against Real Property for Unpaid Service Charges recorded August 28, 2017 as Instrument No. 2017-0355906 and a Demand for Payment/ Explanation of Charges Regarding an EMWD Lien received August 6, 2018.
2. Claim from The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation based on a Grant Deed recorded August 26, 1987 as Instrument No. 247355, a Certificate of Death for James E. Leivan, a Certificate of Death for Janet E. Leivan, and Letters of Administration with Will Annexed filed September 28, 2018 in Case Number PRMC1802244 of the Riverside County Superior Court.
3. Claim from Global Discoveries, LTD, assignee for Cheryl Green as heir to the Estate of Janet E. Leivan based on an Assignment of Right to Collect Excess Proceeds dated September 13, 2018, and a Grant Deed recorded August 26, 1987 as Instrument No. 247355.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

4. Claim from Global Discoveries, LTD, assignee for Denell DeWater as heir to the Estate of Janet E. Leivan based on an Assignment of Right to Collect Excess Proceeds dated September 13, 2018, and a Grant Deed recorded August 26, 1987 as Instrument No. 247355.
5. Claim from Global Discoveries, LTD, assignee for Patricia Deann Flanagan heir to the Estate of Debra Wisner who was heir to the Estate of Janet E. Leivan based on an Assignment of Right to collect Excess Proceeds dated April 17, 2019, and a Grant Deed recorded August 26, 1987 as Instrument No. 247355.
6. Claim from Global Discoveries, LTD, assignee for James Noel Flanagan heir to the Estate of Debra Wisner who was heir to the Estate of Janet E. Leivan based on an Assignment of Right to collect Excess Proceeds dated June 14, 2019, and a Grant Deed recorded August 26, 1987 as Instrument No. 247355.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Eastern Municipal Water District be awarded excess proceeds in the amount of \$224.86 and The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation be awarded excess proceeds in the amount of \$338,607.11. Since the amount claimed by The Estate of Janet E. Leivan C/O Shoup Legal, A Professional Law Corporation exceeds the amount of excess proceeds available there are no funds available for consideration for the claim from Global Discoveries, LTD, assignee for Cheryl Green as heir to the Estate of Janet E. Leivan, Denell DeWater as heir to the Estate of Janet E. Leivan, Patricia Deann Flanagan as heir to the Estate of Debra Wisner, as heir to the Estate of Janet E. Leivan, and James Noel Flanagan as heir to the Estate of Debra Wisner, as heir to the Estate of Janet E. Leivan. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.

Impact on Residents and Businesses

Excess proceeds will be released to a lienholder and the Administrator of the Estate of the last assessee of the property.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim EMWD

ATTACHMENT B. Claim Shoup

ATTACHMENT C. Claim Global


Stephanie P. C., Principal Management Analyst 8/17/2020


Gregory H. Priamos, Director County Counsel 8/10/2020

| | | | |
|--|--|------------------------|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Jennifer E. Dean SBN 315583 Shoup Legal, A Professional Law Corporation 38605 Calistoga Drive, Suite 120 Murrieta, California 92563 951-445-4114 951-445-4108 | | TELEPHONE AND FAX NOS. | FOR COURT USE ONLY |
| ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner | | | FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE SEP 28 2018 <i>N</i> L FULSAAS |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE <input type="checkbox"/> INDIO 46-200 Oasis St., Indio, CA 92201 <input type="checkbox"/> RIVERSIDE 4050 Main St., Riverside, CA 92501 <input checked="" type="checkbox"/> TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591 | | | |
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | | DECEDENT | |
| <input type="checkbox"/> TESTAMENTARY <input type="checkbox"/> OF ADMINISTRATION <input checked="" type="checkbox"/> OF ADMINISTRATION WITH WILL ANNEXED <input type="checkbox"/> SPECIAL ADMINISTRATION | | LETTERS | CASE NUMBER: <u>PRMC1802244</u> |

VGL MOB
 AUG 23 2018
 OCT 01 2018

- LETTERS**
- The last will of the decedent named above having been proved, the court appoints (name):
Scott C. Tolstad
 a. executor.
 b. administrator with will annexed.
 - The court appoints (name):
 a. administrator of the decedent's estate.
 b. special administrator of decedent's estate
 (1) with the special powers specified in the Order for Probate.
 (2) with the powers of a general administrator.
 (3) letters will expire on (date):
 - The personal representative is authorized to administer the estate under the Independent Administration of Estates Act with full authority with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
 - The personal representative is not authorized to take possession of money or any other property without a specific court order.

- AFFIRMATION**
- PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 7621(c)).
 - INDIVIDUAL: I solemnly affirm that I will perform the duties of personal representative according to law.
 - INSTITUTIONAL FIDUCIARY (name):
 I solemnly affirm that the institution will perform the duties of personal representative according to law. I make this affirmation for myself as an individual and on behalf of the institution as an officer.
 (Name and title):
4. Executed on (date): 8/10/2018
 at (place): Murrieta California.

Scott C. Tolstad
 (SIGNATURE)

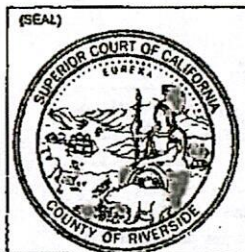
CERTIFICATION

I certify that this document is a correct copy of the original on file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

WITNESS, clerk of the court, with seal of the court affixed.



Date: 9-28-18
 Clerk, by *[Signature]*
 (DEPUTY)



Date: OCT 04 2018
 Clerk, by *Cathy Smith*
 C. SMITH
 (DEPUTY)

| | | | | | |
|--|--|--|--|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Jennifer E. Dean SBN 315583 Shoup Legal, A Professional Law Corporation 38605 Callistoga Drive, Suite 120 Murrieta, California 92563 951-445-4114 951-445-4108 | | TELEPHONE AND FAX NOS.: | | FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE SEP 28 2018 L. FULSAAS AUG 28 2018 | |
| ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner | | SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE <input type="checkbox"/> INDIO 46-200 Oasis St., Indio, CA 92201 <input type="checkbox"/> RIVERSIDE 4050 Main St., Riverside, CA 92501 <input checked="" type="checkbox"/> TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591 | | CASE NUMBER: PRMC1802244 | |
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | | DECEDENT | | ORDER FOR PROBATE ORDER APPOINTING <input type="checkbox"/> Executor <input checked="" type="checkbox"/> Administrator with Will Annexed <input type="checkbox"/> Administrator <input type="checkbox"/> Special Administrator <input checked="" type="checkbox"/> Order Authorizing Independent Administration of Estate <input checked="" type="checkbox"/> with full authority <input type="checkbox"/> with limited authority | |
| WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED. | | | | | |

1. Date of hearing: 09/28/18 Time: 8:30 a.m. Dept./Room: T1 Judge: Mark A. Cope

THE COURT FINDS

- 2. a. All notices required by law have been given.
- b. Decedent died on (date): 05/23/2012
 - (1) a resident of the California county named above.
 - (2) a nonresident of California and left an estate in the county named above.
- c. Decedent died
 - (1) intestate
 - (2) testate
 and decedent's will dated: 4/1/2012 and each codicil dated:
 was admitted to probate by Minute Order on (date): 9-28-18

THE COURT ORDERS

- 3. (Name): Scott C. Tolstad is appointed personal representative:
 - a. executor of the decedent's will
 - b. administrator with will annexed
 - c. administrator
 - d. special administrator
 - (1) with general powers
 - (2) with special powers as specified in Attachment 3d(2)
 - (3) without notice of hearing
 - (4) letters will expire on (date):
 and letters shall issue on qualification.
- 4. a. Full authority is granted to administer the estate under the Independent Administration of Estates Act.
- b. Limited authority is granted to administer the estate under the Independent Administration of Estates Act (there is no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
- 5. a. Bond is not required,
- b. Bond is fixed at: \$ _____ to be furnished by an authorized surety company or as otherwise provided by law.
- c. Deposits of: \$ _____ are ordered to be placed in a blocked account at (specify institution and location): _____ and receipts shall be filed. No withdrawals shall be made without a court order. Additional orders in Attachment 5c.
- d. The personal representative is not authorized to take possession of money or any other property without a specific court order.

6. (Name): **JOAN CAMPBELL** Probate Referee P.O. Box 2125 Riverside, CA 92516 SIGNATURE FOLLOWS LAST ATTACHMENT
 Date: 9-28-18 Mark A. Cope JUDGE OF THE SUPERIOR COURT

CLAIM SUMMARY

Date: June 13, 2019
To: Riverside County Treasurer and Tax Collector
Assessors Parcel Number: 964020016-2
Last Assessee: LEIVAN JAMES E LEIVAN JANET E
Sale Date: 4/26/2018
TC: TC 212
Item Number: 951
Deadline: 6/26/2019

RECEIVED
2019 JUN 18 PM 12:47
RIVERSIDE COUNTY
TREAS-TAX COLLECTOR

Dear Treasurer/Tax Collector:

1. Claimant(s): Global Discoveries, Ltd.

The following proof of claim(s) for excess proceeds and documents are attached:

1. **Explanation of Events with Exhibits**
2. Grant Deed granting interest to James E. Leivan and Janet E. Leivan, husband and wife as Joint Tenants as Document Number: 247355, Recorded on August 26, 1987 in Riverside County, CA.
3. **Certified** Certificate of Death for James Edward Leivan
 - a. The **32694 Galleano Ave., Winchester CA 92596** address listed as the Usual Residence is one and the same property for the above referenced Parcel Number.
 - b. Janet Leivan is listed as Wife and Informant
4. **Certified** Certificate of Death for Janet E. Leivan
 - a. The **32694 Galleano Ave., Winchester CA 92596** address listed as the Usual Residence is one and the same property for the above referenced Parcel Number.
5. **Certified** Certificate for Debra Dee Wisner
 - a. James Leivan is listed as Father
 - b. Janet Carter is listed as Mother. "Carter" is Janet's maiden last name
6. **Certified** Certificate of Birth for Patricia Deann Flanagan
 - a. Debra Dee Leivan is listed as Mother. "Leivan" is Debra's maiden last name.
7. **Certified** Certificate of Birth for James Noel Flanagan
 - a. Debra Dee Leivan is listed as Mother. "Leivan" is Debra's maiden last name.
8. **Certified** Certificate of Birth for Denell Darla Leivan
 - a. James Leivan is listed as Father
 - b. Janet Carter is listed as Mother. "Carter" is Janet's maiden last name
9. **Certified** Abstract of Marriage for Denell Darla Leivan referencing her name change to her current last name.
10. **Certified** Certificate of Live Birth for Cheryl Jean Leivan
 - a. James Leivan is listed as Father
 - b. Janet Carter is listed as Mother. "Carter" is Janet's maiden last name



11. **Certified** Record of Church Marriage for Cheryl Jean Leivan referencing her name change to her current last name.
12. Affidavit(s) signed by Denell DeWater, Cheryl Green, Patricia Flanagan and James Noel Flanagan declaring under Penalty of Perjury their Identity.
13. Assignment of Rights To Collect Excess Proceeds signed by Denell DeWater, Cheryl Green, Patricia Flanagan and James Noel Flanagan as heir to the Estate of Janet E Leivan
14. Claim form(s) signed by Global Discoveries
15. Photo ID(s) for Assignor: Denell DeWater, Cheryl Green, Patricia Flanagan
 - **Please Note: We are unable to obtain a Photo ID for James Noel Flanagan as he is currently incarcerated.**

Upon approval, claimant(s) request that the Treasurer and Tax Collector issue its warrant(s) as follows:

- One warrant in the amount of \$338,831.97 or 100% of the claimant's share of the excess proceeds made payable to Global Discoveries Ltd. and mailed to P.O. Box 1748, Modesto, CA 95353-1748.

Please address questions regarding the attached claim(s) to Jed Byerly, Managing Member, at (209) 593-3913, or e-mail to jed@gd-ltd.com.

The Client(s) and the staff of Global Discoveries, Ltd., thank you in advance for your timely review and approval of the attached claim(s).

Certified Tracking Number: 7018-2290-0002-2081-4831

**EXPLANATION OF EVENTS:
Property: 964020016-2
(32694 GALLEANO AVE WINCHESTER CA 92596-9795)**

- James E. Leivan and Janet E. Leivan were the record owners for the above referenced property per the Grant Deed recorded on August 26, 1987.
- James E. Leivan passed away on June 27, 2011 leaving Janet E. Leivan as the surviving joint tenant.
- Janet E. Leivan passed away on May 23, 2012, a widow. She was survived by 3 biological children; Denell DeWater, Cheryl Green and James E. Leivan, Jr. She was predeceased in death by her biological child; Debra Dee Wisner.
- Debra Dee Wisner passed away on June 09, 1994. She was survived by 4 biological children; Patricia Deann Flanagan, James Noel Flannagan, Gary Leivan and Carrie Willoughby Pulido. To our knowledge, she left no Last Will & Testament, nor was her Estate Probated in the State of California.
 - To our knowledge, Gary Leivan passed away approximately in 2012.
- Probate proceedings have begun for the Estate of Janet E. Leivan in Riverside County, CA., as Case# PRMC1802244 on or about August 13, 2018.
 - Exhibit A. Probate Case
- A Petition for Revocation of Probate of Purported Will has been filed with Riverside Superior Court on May 20, 2019.
 - Exhibit B. Petition & Notice of Hearing

- The Majority of the heirs to the Estate of Janet Leivan challenge the validity of the filed Last Will & Testament (s) within the aforementioned probate and has assigned their rights, title and interest of the Excess Proceeds that applies to the above referenced property to Global Discoveries, Ltd. ("Global")

*****At this time Global is submitting a claim on behalf of the following heirs; Denell DeWater, Cheryl Green, Patricia Deann Flanagan and James Noel Flanagan.*****

ATTORNEY OR PARTY WITHOUT ATTORNEY (Print name, firm name, and address)
Jennifer E. Dean SBN 315583
 Shoup Legal, A Professional Law Corporation
 38605 Calistoga Drive, Suite 120
 Murrieta, California 92563

TELEPHONE NO.: 951-445-4114 FAX NO. (Number) 951-445-4108
 E-MAIL ADDRESS (Optional) jennifer@shouplegal.com
 ATTORNEY FOR (Name) Scott C. Tolstad, Petitioner

FOR COURT USE ONLY

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF RIVERSIDE

JAN 1 1 2019

JAN 10 2019

CPC Powell

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE
 STREET ADDRESS: 41002 County Center Drive, Suite 100
 MAILING ADDRESS: 41002 County Center Drive, Suite 100
 CITY AND ZIP CODE: Temecula, CA 92591
 BRANCH NAME: Temecula Courthouse

ESTATE OF (Name):
Janet Elaine Leivan, a.k.a. Janet E. Leivan
 DECEDENT CONSERVATEE MINOR

CASE NUMBER:
PRMC 1802244
 Date of Death of Decedent or of Appointment of Guardian or Conservator:
May 23, 2012

INVENTORY AND APPRAISAL

- Partial No.: Corrected
 Final Reappraisal for Sale
 Supplemental Property Tax Certificate

APPRAISALS

1. Total appraised by representative, guardian, or conservator (Attachment 1): \$ 0.00
 2. Total appraisal by referee (Attachment 2): \$ 215,500.00
TOTAL: \$ 215,500.00

DECLARATION OF REPRESENTATIVE, GUARDIAN, CONSERVATOR, OR SMALL ESTATE CLAIMANT

3. Attachments 1 and 2 together with all prior inventories filed contain a true statement of
 all a portion of the estate that has come to my knowledge or possession, including particularly all money and all just claims the estate has against me. I have truly, honestly, and impartially appraised to the best of my ability each item set forth in Attachment 1.
4. No probate referee is required by order of the court dated (specify): 9/28/2018
5. Property tax certificates. I certify that the requirements of Revenue and Taxation Code section 480
 a. are not applicable because the decedent owned no real property in California at the time of death.
 b. have been satisfied by the filing of a change of ownership statement with the county recorder or assessor of each county in California in which the decedent owned property at the time of death.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
 Date: 12 / 23 / 2018

Scott C. Tolstad

(TYPE OR PRINT NAME, INCLUDE TITLE IF CORPORATE OFFICER)


 (SIGNATURE)

STATEMENT ABOUT THE BOND

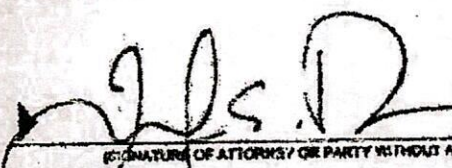
(Complete in all cases. Must be signed by attorney for fiduciary, or by fiduciary without an attorney.)

6. Bond is waived, or the sole fiduciary is a corporate fiduciary or an exempt government agency.
 7. Bond filed in the amount of \$ Sufficient Insufficient
 8. Receipts for: \$ _____ have been filed with the court for deposits in a blocked account at (specify institution and location): _____

Date: 12 / 28 / 2018

Jennifer E. Dean

(TYPE OR PRINT NAME)


 (SIGNATURE OF ATTORNEY OR PARTY WITHOUT ATTORNEY)

| | |
|--|-------------------------------------|
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | CASE NUMBER: PRMC 1802244 |
| <input checked="" type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR | |

DECLARATION OF PROBATE REFEREE

9. I have truly, honestly, and impartially appraised to the best of my ability each item set forth in Attachment 2.
 10. A true account of my commission and expenses actually and necessarily incurred pursuant to my appointment is:
- | | | |
|-----------------------|-----------|-----------------------------|
| Statutory commission: | \$ | 215.50 |
| Expenses (Specify): | \$ | 50.00 (Map, Mileage, Photo) |
| TOTAL: | \$ | 265.50 |

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

Date: 1/9/2019

Joan Campbell

(TYPE OR PRINT NAME)


 (SIGNATURE OF REFEREE)

INSTRUCTIONS

(See Probate Code sections 2610-2616, 8801, 8804, 8852, 8904, 8999, 8961, and 8863 for additional instructions.)

- See Probate Code section 8860 for items to be included in the inventory.
- If the minor or conservatee is or has been during the guardianship or conservatorship confined in a state hospital under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services, mail a copy to the director of the appropriate department in Sacramento. (Prob. Code, § 2611.)
- The representative, guardian, conservator, or small estate claimant shall list on Attachment 1 and appraise as of the date of death of the decedent or the date of appointment of the guardian or conservator, at fair market value, moneys, currency, cash items, bank accounts and amounts on deposit with each financial institution (as defined in Probate Code section 40), and the proceeds of life and accident insurance policies and retirement plans payable upon death in lump sum amounts to the estate, except items whose fair market value is, in the opinion of the representative, an amount different from the ostensible value or specified amount.
- The representative, guardian, conservator, or small estate claimant shall list in 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. (See *Inventory and Appraisal Attachment* (form DE-161/GC-041) and Cal. Rules of Court, rules 2.100—2.119.)

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

DEC 03 2018

L. FULSAAS

DEC 04 2018

1 Steven D. Schroeder, Esq. (State Bar Number 118582)
2 Inheritance Funding Company, Inc.
3 275 Battery Street, Suite 200
4 San Francisco, CA 94111
5 Telephone: (415) 782-5217
6 Facsimile: (415) 782-5230
7 Attorney for Inheritance Funding Company, Inc.

6 SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

8 Estate of

9 JANET ELAINE LEIVAN

10 Decedent.

No. PRMC1802244

JAMES EDWARD LEIVAN JR.'S
ASSIGNMENT #1, SALE AND TRANSFER
OF BENEFICIAL INTEREST IN
DECEDENT'S ESTATE TO INHERITANCE
FUNDING COMPANY, INC.

13 THIS ASSIGNMENT is made and entered into between seller James Edward Leivan Jr.,
14 32694 Galleano Ave, Winchester, CA 92596, and purchaser, Inheritance Funding Company, Inc.,
15 (hereinafter "IFC") a California Corporation, located at 275 Battery Street, Suite 200, San Francisco,
16 CA 94111.

17 1. Assignment. James Edward Leivan Jr. hereby irrevocably assigns, sells and transfers
18 \$67,100.00 of James Edward Leivan Jr.'s beneficial interest in the estate of Janet Elaine Leivan,
19 Decedent (hereinafter "Estate") to IFC in exchange for an immediate cash payment of \$40,000.00.
20 The statement of the assigned amount, cash payment and total cost to James Edward Leivan Jr. was
21 provided to James Edward Leivan Jr. prior to signing this agreement.

22 2. Payment. James Edward Leivan Jr. authorizes and instructs the personal representatives
23 of the Estate and their attorneys to pay and deliver \$67,100.00 to IFC prior to making any distribution
24 from this Estate to James Edward Leivan Jr..

25 3. Early Payoff Rebate. If \$67,100.00 is received by IFC within 6 months from the date
26 IFC signs this agreement, IFC will refund \$17,000.00 to James Edward Leivan Jr., resulting in a
27 reduced net assignment amount (after rebate) of \$50,100.00. If \$67,100.00 is received by IFC after 6
28 months, but within 12 months from the date IFC signs this agreement, IFC will refund \$10,200.00 to

1 James Edward Leivan Jr., resulting in a reduced net assignment amount (after rebate) of \$56,900.00.
2 All outstanding assignments between James Edward Leivan Jr. and IFC must be paid in full before any
3 rebate shall be payable by IFC.

4 4. **Beneficial Interest Assigned.** James Edward Leivan Jr.'s beneficial interest in the
5 Estate shall include any and all rights: a) as a beneficiary, devisee, heir, legatee or otherwise of the
6 Estate; b) to commissions and fees as personal representative of the Estate; c) to distributions from
7 ancillary proceeding(s); d) to distributions from any IRA, retirement plan, employee benefit plan or
8 other non-probate asset of the decedent; and e) to James Edward Leivan Jr.'s individual interest in the
9 decedent's homestead property, if applicable.

10 5. **Waiver of Right to Disclaim.** In consideration of IFC's agreement to purchase a portion
11 of James Edward Leivan Jr.'s beneficial interest in the Estate, James Edward Leivan Jr. hereby agrees
12 not to disclaim any portion of his/her inheritance.

13 6. **Sale of Real Property.** Pursuant to California Probate Code §11950, et seq., James
14 Edward Leivan Jr. authorizes IFC to direct the personal representative of the Estate to sell the Estate's
15 property to avoid the distribution in-kind of undivided interests.

16 7. **Prohibited Conduct.** James Edward Leivan Jr. agrees not to take any action that may in
17 any manner defeat, eliminate, reduce, delay or prevent IFC's receipt of the assigned amount of
18 \$67,100.00.

19 8. **Bankruptcy.** James Edward Leivan Jr. does not now or in the immediate future
20 contemplate filing for bankruptcy. James Edward Leivan Jr. has not consulted any lawyer or other
21 professional within the last ninety (90) days regarding the possibility of filing for bankruptcy. James
22 Edward Leivan Jr. further agrees that he/she has not, and/or will not file for bankruptcy within 180
23 days after the execution of this assignment. If James Edward Leivan Jr. files for bankruptcy after
24 entering into this agreement, James Edward Leivan Jr. acknowledges that IFC purchased this
25 assignment in good faith and shall be entitled to enforce all its rights as a creditor secured by a lien on
26 all of James Edward Leivan Jr.'s distributions from the Estate.

27 9. **Recourse.** IFC shall have no recourse against James Edward Leivan Jr. unless: (a) there
28 is a material breach of this assignment by James Edward Leivan Jr.; (b) there has been fraud

1 committed by James Edward Leivan Jr.; or (c) James Edward Leivan Jr. receives a distribution from
2 the Estate after this assignment is executed, but before this assignment is satisfied.

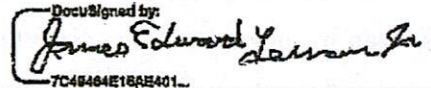
3 10. **Successor Rights.** This instrument binds James Edward Leivan Jr. and his/her heirs,
4 executors, administrators, representatives, successors and other assignees of James Edward Leivan Jr..

5 11. **California Law.** This agreement is made and shall be interpreted under the laws of the
6 State of California. It may be amended only by an agreement in writing that is dated and signed by
7 James Edward Leivan Jr. and IFC.

8 12. **Consult Legal Counsel.** James Edward Leivan Jr. acknowledges that IFC advised
9 him/her to consult with legal counsel concerning this transaction prior to signing this agreement.

10 13. **Electronic Consent.** James Edward Leivan Jr. has affirmatively agreed to do business
11 with IFC by electronic means. Furthermore, James Edward Leivan Jr. intends to sign this agreement
12 using a legally recognized and compliant electronic signature.

13
14 Dated: 11/29/2018

DocuSigned by:

7C4B464E18AE401...

James Edward Leivan Jr., Seller/Assignor

15
16
17 Dated: 11-30-18

Inheritance Funding Company, Inc., Purchaser/Assignee

18
19
20 By: 

21
22
23 **Regarding Legally Enforceable Electronic Signatures:**

24 The electronic signature(s) used in this contract is/are in full compliance with both the
25 Federal Electronic Signatures in Global and National Commerce Act (ESIGN Act) and
26 the Uniform Electronic Transactions Act (UETA). Under these laws, a document or
27 signature cannot be denied full legal affect or enforceability solely because it is in
28 electronic form.

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DECLARATION ATTESTING TO SATISFACTION
OF PROBATE CODE SECTION 11604.5

1. I am Erik O. Forsberg, Vice President, a Corporate Officer of Inheritance Funding Company, Inc. (hereinafter collectively referred to as "IFC"). I make this declaration from my own personal knowledge, except as to those matters stated upon information and belief, as to those matters, I believe them to be true. If called upon as witness, I could, and would, competently testify as to the trust of the matter stated herein.

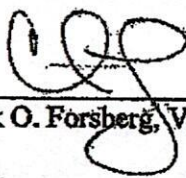
2. IFC has purchased an assignment of James Edward Leivan Jr.'s beneficial interest in the Estate of Janet Elaine Leivan in the amount of \$67,100.00 (the "Assignment Amount"). The Assignment Amount includes all costs and fees resulting from the transfer for value.

3. In obtaining this assignment, I am informed and believe that IFC has satisfied the requirements of Probate Code Section 11604.5.

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

Executed November 30, 2018, at San Francisco, California.

INHERITANCE FUNDING COMPANY, INC., a California Corporation.

By: 
Erik O. Forsberg, Vice President

Declaration Attesting to Satisfaction of Probate Code Section 11604.5

JAMES EDWARD LEIVAN JR.'S ASSIGNMENT #1, SALE AND TRANSFER OF BENEFICIAL INTEREST
IN DECEDENT'S ESTATE TO INHERITANCE FUNDING COMPANY, INC.

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PROOF OF SERVICE

I am over 18 years of age and not a party to this action. I am a resident of or employed in San Francisco, California. My business address is 275 Battery Street, Suite 200, San Francisco, CA 94111.

On November 30, 2018, I served the following document(s) from San Francisco, California:

- 1) **James Edward Leivan Jr.'s Assignment #1, Sale and Transfer of Beneficial Interest in Decedent's Estate to Inheritance Funding Company, Inc.**

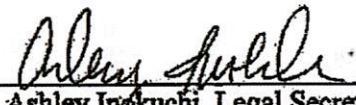
I enclosed the documents in an envelope and placed the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid. The name and address of each person to whom I mailed the document(s) are as follows:

Scott Tolstad
PO BOX 897
Valley Center, CA 92082

Jennifer E. Dean
38605 Calistoga Dr Ste 120
Murrieta, CA 92563

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


Dated: November 30, 2018



Ashley Inokuchi, Legal Secretary

Proof of Service

JAMES EDWARD LEIVAN JR.'S ASSIGNMENT #1, SALE AND TRANSFER OF BENEFICIAL INTEREST
IN DECEDENT'S ESTATE TO INHERITANCE FUNDING COMPANY, INC.

| | | |
|--|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) Steven D. Schroeder, Esq. (SBN 118582) Inheritance Funding Company, Inc. 275 Battery Street, Suite 200 San Francisco, CA 94111 | TELEPHONE AND FAX NOS. Tel: (415) 782-5217 Fax: (415) 782-5230 | FOR COURT USE ONLY <div style="text-align: center;"> FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE DEC 03 2018  </div> |
| ATTORNEY FOR (Name): Inheritance Funding Company, Inc. RIVERSIDE COUNTY SUPERIOR COURT STREET ADDRESS: 41002 COUNTY CENTER DRIVE, #100 MAILING ADDRESS: CITY AND ZIP CODE: TEMECULA, CA 92591 BRANCH NAME: | | |
| ESTATE OF (Name): <div style="text-align: center;">Janet Elaine Lelyan</div> <input checked="" type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR <input type="checkbox"/> TRUST | | |
| REQUEST FOR SPECIAL NOTICE | | CASE NUMBER PRMC1802244 |

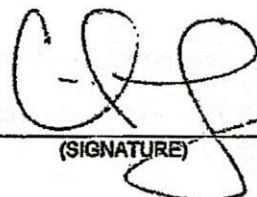
LND
 DEC 04 2018

1. a. I am a person interested in this proceeding.
 b. I am the attorney for a person interested in this proceeding (specify name of interested person):
2. I REQUEST SPECIAL NOTICE of (complete only a or b)
 - a. the following matters (check applicable boxes):
 - (1) all matters for which special notice may be requested (Do not check boxes (2)-(8).)
 - (2) inventories and appraisals of property, including supplements
 - (3) accountings
 - (4) reports of the status of administration
 - (5) objections to an appraisal
 - (6) petitions for the sale of property
 - (7) Spousal Property Petition (form DE-221) (Prob. Code, § 13650)
 - (8) other petitions: all petitions the following petitions (specify):
 - b. the following matters (specify):
3. SEND THE NOTICES to
 - a. the interested person at the following address (specify):

INHERITANCE FUNDING COMPANY, INC.
 275 Battery Street, Suite 200
 San Francisco, CA 94111
 - b. the attorney at the following address (specify):

Date: November 30, 2018

INHERITANCE FUNDING COMPANY, INC.
 Erik O. Forsberg, Vice President
 (TYPE OR PRINT NAME)


 (SIGNATURE)

Attorney for person requesting special notice (client's name):

(Continued on next page)

FILED BY FAX

| | |
|--|----------------------------|
| MATTER OF (Name): Janet Elaine Leivan DECEDENT | CASE NUMBER PRMC1802244 |
|--|----------------------------|

NOTE: A formal proof of service or a written admission of service must accompany this *Request for Special Notice* when it is filed with the court.

You must have your request served on either the personal representative, conservator, guardian, or trustee, or his or her attorney, or obtain a signed *Admission of Service* (see below).

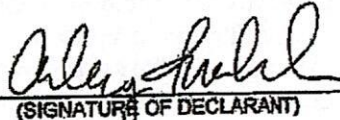
PROOF OF SERVICE BY MAIL

- I am over the age of 18 and not a party to this cause. I am a resident or of employed in the county where the mailing occurred.
- My residence or business address is (specify):
275 Battery Street, Suite 200
San Francisco, CA 94111
- I served the foregoing *Request for Special Notice* on each person named below by enclosing a copy in an envelope addressed as shown below AND
 - depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.
 - placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business practice for collecting and processing correspondence for mail. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully paid.
- a. Date of deposit: November 30, 2018 b. Place of deposit (city and state): San Francisco, California

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

Date: November 30, 2018

Ashley Inokuchi, Legal Secretary
(TYPE OR PRINT NAME)


(SIGNATURE OF DECLARANT)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

Scott Tolstad
PO BOX 897
Valley Center, CA 92082

Jennifer E. Dean
38805 Callistoga Dr Ste 120
Murrieta, CA 92563

List of names and addresses continued in attachment.

ADMISSION OF SERVICE

- I am the personal representative, conservator, guardian, or trustee the attorney.
- I ACKNOWLEDGE that I was served a copy of the foregoing *Request for Special Notice*.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)

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UJAN
OCT 26 2018 100

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

OCT 25 2018

Hale

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 - office
6 951-445-4108 - fax
7 jennifer@shouplegal.com

8 Attorney for SCOTT C. TOLSTAD, Petitioner

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF RIVERSIDE, TEMECULA COURTHOUSE

11 In the Matter of the Estate of
12 JANET ELAINE LEIVAN, a.k.a.
13 JANET E. LEIVAN,
14
15 Decedent.

Case No. PRMC1802244

PROOF OF SERVICE

Date:
Time:
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PROOF OF SERVICE

In Re the Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan, Decedent
Riverside County Superior Court Case No. PRMC1802244

I am employed in Riverside County. I am over the age of 18 and not a party to this action. My business address is 38605 Calistoga Drive, Suite 120, Murrieta, California 92563.

On October 22, 2018, I served the following documents, described as:

1. **Notice of Department Assignment;**
2. **Petition for Probate of Will and for Letters of Administration with Will Annexed;**
3. **Supplement to Petition for Probate with Will Annexed;**
4. **Declaration of James E. Leivan, Jr. Regarding Will of Decedent;**
5. **Declaration of Diligent Search.**

in this action by placing true copies of the document in separate sealed envelopes to the following address:

Debra Megan Flanagan
18233 Ludlow Street
Northridge, CA 91326-2840

(Surviving great-grandchild of decedent;
issue of Gary Lee Flanagan, deceased
son of Debra Willoughby Wisner)

BY U.S. MAIL I deposited such envelope in the mail at Murrieta, California. The envelopes were mailed with postage thereon fully prepaid.

I am readily familiar with the practice of collection and processing correspondence for mailing. Under that practice, documents are deposited with the U.S. Postal Service on the same day which is stated in the proof of service, with postage fully prepaid at Murrieta, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date stated in this proof of service.

BY FEDERAL EXPRESS I am familiar with the firm's practice of collecting and processing correspondence for delivery via Federal Express. Under that practice, it would be picked up by Federal Express on that same day at Murrieta, California and delivered to the parties as listed on this Proof of Service the following business morning.

BY FACSIMILE I caused the above-referenced document to be transmitted via facsimile to the parties as listed on this Proof of Service.

STATE I declare under penalty of perjury under the laws of the state of California, that the above is true and correct.

FEDERAL I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made

Executed on October 22, 2018, at Murrieta, California.



KATHLEEN A. CURTIS

| | | | |
|--|--|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): | | TELEPHONE AND FAX NOS: (916) 650-6552 | FOR COURT USE ONLY |
| DEPARTMENT OF HEALTH CARE SERVICES ESTATE RECOVERY BRANCH P.O. BOX 997425, MS 4720 SACRAMENTO, CA 95899-7425 | | | FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE OCT 02 2018 <u>T. HALE</u> |
| ATTORNEY FOR (Name): IN PRO PER/CREDITOR | | | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS: ATTENTION: PROBATE DIVISION MAILING ADDRESS: 41002 COUNTY CENTER DRIVE, STE 100 CITY AND ZIP CODE: TEMECULA, CA 92501 BRANCH NAME: | | | |
| MATTER OF (Name): JANET ELAIN LEIVAN | | | |
| <input checked="" type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR <input type="checkbox"/> TRUST | | | |
| REQUEST FOR SPECIAL NOTICE | | CASE NUMBER: PRMC1802244 | |

OCT 03 2018

1. a. I am a person interested in this proceeding.
 b. I am the attorney for a person interested in this proceeding (specify name of interested person):

2. I REQUEST SPECIAL NOTICE of (complete only a or b):

- a. the following matters (check applicable boxes):
- (1) all the matters for which special notice may be requested. (Do not check boxes (2) - (8).)
 - (2) Inventories and appraisals of property, including supplements
 - (3) accountings by the personal representative
 - (4) reports of the status of administration
 - (5) objections to an appraisal
 - (6) petitions for the sale of property
 - (7) Spousal Property Petition (form DE-221) (Prob. Code, § 13650)
 - (8) other petitions: all petitions the following petitions (specify):

- b. the following matters (specify):

3. SEND THE NOTICES to

- a. the interested person at the following address (specify): P.O. Box 997425, MS4720
Sacramento, CA 95899-7425
- b. the attorney at the following address (specify):

Date: September 27, 2018

Suzan Hanson, Collection Representative
(TYPE OR PRINT NAME)

(SIGNATURE)

Attorney for person requesting special notice (client's name):

(Continued on reverse)

REQUEST FOR SPECIAL NOTICE
(Probate)

Probate Code, §§ 1250,
2700(e), 17204

| | | | |
|--|-------------------------|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): DEPARTMENT OF HEALTH CARE SERVICES ESTATE RECOVERY BRANCH P.O. BOX 997425, MS 4720 SACRAMENTO, CA 95899-7425 | | TELEPHONE AND FAX NOS: (916) 650-6552 | FOR COURT USE ONLY |
| ATTORNEY FOR (Name): IN PRO PER/ CREDITOR: SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE | | | FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE OCT 02 2018 THALEQ |
| STREET ADDRESS: ATTENTION: PROBATE DIVISION | | | |
| MAILING ADDRESS: 41002 COUNTY CENTER DRIVE, STE 100 | | | |
| CITY AND ZIP CODE: TEMECULA, CA 92501 | | | |
| BRANCH NAME: | | | |
| ESTATE OF (Name): JANET ELAIN LEIVAN | | DECEDENT | |
| PREFERRED | CREDITOR'S CLAIM | | CASE NUMBER: PRMC1802244 |

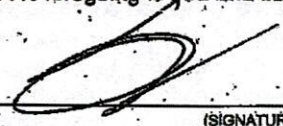
OCT 02 2018

You must file this claim with the court clerk at the court address above before the LATER of (a) four months after the date letters (authority to act for the estate) were first issued to the personal representative, or (b) sixty days after the date the Notice of Administration was given to the creditor, if notice was given as provided in Probate Code section 9051. You must also mail or deliver a copy of this claim to the personal representative and his or her attorney. A proof of service is on the reverse.

WARNING: Your claim will in most instances be invalid if you do not properly complete this form, file it on time with the court, and mail or deliver a copy to the personal representative and his or her attorney.

- Total amount of the claim: **\$ 69,523.77**
 - Claimant (name): **Department of Health Care Services**
 - an individual.
 - an individual or entity doing business under the fictitious name of (specify):
 - a partnership. The person signing has authority to sign on behalf of the partnership.
 - a corporation. The person signing has authority to sign on behalf of the corporation.
 - other (specify): **a government agency**
 - Address of claimant (specify): **P.O. Box 997425, MS4720, Sacramento, CA 95899-7425**
 - Claimant is the creditor a person acting on behalf of creditor (state reason): **a government employee**
 - Claimant is the personal representative the attorney for the personal representative.
 - I am authorized to make this claim which is just and due or may become due. All payments on or offsets to the claim have been credited. Facts supporting the claim are on reverse attached.
- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- Date: September 27, 2018

Suzan Hanson, Collection Representative
 (TYPE OR PRINT NAME AND TITLE)



(SIGNATURE OF CLAIMANT)

INSTRUCTIONS TO CLAIMANT

- On the reverse, itemize the claim and show the date the service was rendered or the debt incurred. Describe the item or service in detail, and indicate the amount claimed for each item. Do not include debts incurred after the date of death, except funeral claims.
- If the claim is not due or contingent, or the amount is not yet ascertainable, state the facts supporting the claim.
- If the claim is secured by a note or other written instrument, the original or a copy must be attached (state why original is unavailable.) If secured by mortgage, deed of trust, or other lien on property that is of record, it is sufficient to describe the security and refer to the date or volume and page, and county where recorded. (See Prob. Code, § 9152.)
- Mail or take this original claim to the court clerk's office for filing. If mailed, use certified mail, with return receipt requested.
- Mail or deliver a copy to the personal representative and his or her attorney. Complete the Proof of Mailing or Personal Delivery on the reverse.
- The personal representative or his or her attorney will notify you when your claim is allowed or rejected.
- Claims against the estate by the personal representative and the attorney for the personal representative must be filed within the claim period allowed in Probate Code section 9100. See the notice box above.

(Continue on reverse)
CREDITOR'S CLAIM
(Probate)

ESTATE OF (Name): **JANET ELAIN LEIVAN**

CASE NUMBER: **PRMC1802244**

DECEDENT

FACTS SUPPORTING THE CREDITOR'S CLAIM

See attachment (if space is insufficient)
item and supporting facts

| Date of Item | Item and supporting facts | Amount Claimed |
|--------------------------|---------------------------|--------------------|
| SEE ATTACHED LIST | | |
| TOTAL | | \$69,523.77 |

PROOF OF **MAILING** **PERSONAL DELIVERY** **TO PERSONAL REPRESENTATIVE**
(Be sure to mail or take the original to the court clerk's office for filing)

1. I am the creditor or a person acting on behalf of the creditor. At the time of mailing or delivery I was at least 18 years of age.
2. My residence or business address is (specify): **P.O. Box 997425, MS4720
Sacramento, CA 95899-7425**
3. I mailed or personally delivered a copy of this Creditor's Claim to the personal representative as follows (check either a or b below):
 - a. **Mail.** I am a resident of or employed in the county where the mailing occurred.
 - (1) I enclosed a copy in an envelope AND
 - (a) deposited the sealed envelope with the United States Postal Service with the postage fully prepaid.
 - (b) placed the envelope for collection and mailing on the date and at the place shown in items below following our ordinary business practices. I am readily familiar with the business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
 - (2) The envelope was addressed and mailed first-class as follows:
 - (a) Name of personal representative served: **Mr. Scott C. Tolstad, Personal Representative
C/O Jennifer E. Dean**
 - (b) Address on envelope: **38605 Calistoga Drive, Suite 120
Murrieta, CA 92563**
 - (c) Date of mailing: **September 27, 2018**
 - (d) Place of mailing (city and state): **Sacramento, California**
 - b. **Personal delivery.** I personally delivered a copy of the claim to the personal representative as follows:
 - (1) Name of personal representative served:
 - (2) Address where delivered:
 - (3) Date delivered:
 - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Date: September 27, 2018

Suzan Hanson, Collection Representative

(TYPE OR PRINT NAME OF CLAIMANT)

(SIGNATURE OF CLAIMANT)

ITEMIZATION
(AS OF 09/27/2018)

PAGE 1

ESTATE OF: LEIVAN, JANET ELAIN

| DATES OF SERVICE MONTH/DAY/YEAR | PROVIDER OF SERVICE | AMOUNT PAID BY MEDI-CAL | B |
|------------------------------------|---------------------------|----------------------------|---|
| 02/11/1997 - 05/16/2012 | SEE ATTACHED CLAIM REPORT | \$60,677.67 | |
| 10/01/2004 - 05/23/2012 | MEDICARE PART B PREMIUM | \$8,846.10 | |
| | GRAND TOTAL | \$69,523.77 | |

UNDER OBRA 1990 THE FEDERAL GOVERNMENT HAS MODIFIED ITS LANGUAGE WITH SECTION 4402 WHICH DEFINES PAYMENT OF PREMIUMS AS A MEDICAL EXPENSE IN USC TITLE 42, SECTION 1396, AND SECTION 1906 OF THE SOCIAL SECURITY ACT.

THIS CLAIM IS FOR THE AMOUNT OF HEALTH CARE SERVICES PAID ON BEHALF OF THE DECEDENT. THE CLAIM IS FILED PURSUANT TO WELFARE AND INSTITUTIONS CODE, SECTIONS 11004, 11020, 11150-11158, 14005, 14009.5 AND 14014; ALSO PROBATE CODE, SECTIONS 215, 9202, 9203, 19202 AND 19203.

THIS DEPARTMENT MAY FILE AN AMENDED CREDITOR'S CLAIM IF ADDITIONAL MEDI-CAL PAYMENTS ARE DISCOVERED.



Department of Health Care Services
Medi-Cal Assistance Program

Report Number: SU-O-CHE103

Report Date: 9/25/2018

Claims History Extension Summary Report

Recipient Name: JANET E LEIVAN

| Service Dates | Billing Provider | Claims | Paid |
|-------------------------|--------------------------|------------|--------------------|
| 08/21/1998 - 01/05/2001 | BLACHARSKI, PAULA MD | 14 | \$1,481.49 |
| 03/15/1999 - 01/15/2003 | LOBUE, THOMAS D MD | 13 | \$238.08 |
| 05/15/1998 - 09/04/1998 | LOBUE, THOMAS D MD | 8 | \$136.99 |
| 03/11/2012 - 05/11/2012 | CARENET MEDICAL, INC | 16 | -\$2.96 |
| 04/11/2012 - 04/11/2012 | PAGE OPTOMETRIC APC | 2 | \$42.71 |
| 03/02/2012 - 03/27/2012 | SOUTHWEST HEALTHCARE SYS | 41 | \$23,857.31 |
| 03/09/2012 - 03/09/2012 | LIFECARE SOLUTIONS | 9 | \$53.38 |
| 09/15/2011 - 09/15/2011 | LABORATORY COPORATION OF | 3 | \$4.04 |
| 03/27/2012 - 05/18/2012 | CHARTER HOSPICE INC | 20 | \$13,837.85 |
| 03/23/1999 - 03/29/1999 | TEMECULA FAMILY HLTH CTR | 3 | \$65.00 |
| 03/26/2002 - 07/24/2002 | NEIGHBORHOOD HEALTHCARE | 2 | \$37.18 |
| 06/19/2000 - 12/20/2001 | TEMECULA FAMILY HLTH CTR | 9 | \$419.77 |
| 03/28/1999 - 07/28/2000 | NORTH COAST IMAGING RAD | 4 | \$26.06 |
| 10/12/1998 - 10/12/1998 | LOMA LINDA UNIVERSITY | 1 | \$112.47 |
| 03/26/1999 - 07/28/2000 | TEMECULA VALLEY IMAGING | 2 | \$39.72 |
| 01/21/2004 - 05/17/2006 | INLAND VALLEY RETINA | 6 | \$102.26 |
| 10/12/1998 - 10/12/1998 | LOMA LINDA UNIVERSITY | 7 | \$337.02 |
| 04/28/1998 - 04/28/1998 | SHARP HLTHCARE MURRIETA | 8 | \$79.29 |
| 03/24/1999 - 07/13/2000 | UNILAB CORP | 33 | \$186.73 |
| 06/11/2004 - 06/11/2004 | AMERICAN DRUG STORES INC | 1 | \$56.09 |
| 10/05/1998 - 03/29/1999 | SAV-ON DRUGS #3006 | 5 | \$165.07 |
| 04/28/1998 - 02/05/2001 | THRIFTY PAYLESS INC | 50 | \$2,470.38 |
| 12/28/2000 - 11/20/2001 | RALPH'S #142 | 46 | \$3,090.42 |
| 12/29/2001 - 12/27/2005 | RALPHS.GROCERY COMPANY | 122 | \$12,342.05 |
| 03/06/2001 - 04/23/2002 | UNKNOWN | 5 | -\$440.16 |
| 07/21/2004 - 02/07/2006 | ALBERTSONS INC | 18 | \$900.49 |
| 05/19/2000 - 07/12/2005 | STATE OF CALIFORNIA | 4 | \$72.40 |
| 06/28/2005 - 06/28/2005 | BURI, MARKUS OD | 2 | \$53.11 |
| 02/11/1997 - 03/08/2001 | ARGENRRIGHT, BRET FRANK | 8 | \$362.65 |
| | Total: | 462 | \$60,126.89 |

Recipient Name: JANET LEIVAN

| Service Dates | Billing Provider | Claims | Paid |
|-------------------------|-------------------------|--------|---------|
| 03/11/2012 - 05/11/2012 | CARENET MEDICAL, INC | 6 | \$47.24 |
| 04/21/2012 - 04/21/2012 | KAN-DI-KI.LLC | 4 | \$10.18 |
| 03/02/2012 - 03/21/2012 | NORTH COAST IMAGING RAD | 6 | \$54.27 |



Department of Health Care Services
Medi-Cal Assistance Program

Report Number: SU-O-CHE103

Report Date: 9/25/2018

Claims History Extension Summary Report.

Recipient Name: JANET LEIVAN

| Service Dates | Billing Provider | Claims | Paid |
|-------------------------|-------------------------|-----------|-----------------|
| 05/04/2009 - 01/14/2011 | LOBUE, THOMAS D MD | 20 | \$187.32 |
| 03/07/2012 - 03/07/2012 | BUI, BRIAN A MD INC | 2 | \$8.86 |
| 03/09/2012 - 03/09/2012 | LIFECARE SOLUTIONS | 2 | \$0.30 |
| 09/29/2011 - 09/29/2011 | TEMECULA VLY CARDIOLOGY | 4 | \$3.32 |
| 07/21/2008 - 10/28/2008 | MARTINEZ, JORGE A MD | 10 | \$43.50 |
| 01/23/2003 - 01/23/2003 | NORTH COAST IMAGING RAD | 2 | \$11.81 |
| 02/08/2004 - 02/08/2004 | INLAND VALLEY RETINA | 3 | \$68.69 |
| 05/11/2005 - 05/30/2007 | INLAND VALLEY RETINA | 6 | \$115.29 |
| | Total: | 65 | \$550.78 |

Grand Total: 527 \$60,677.67

PRMC 1802244

DW2

AUG 15 2018

I hereby declare that this is my last will and testament and that I hereby revoke, cancel and annul all wills and codicils previously made by me either jointly or severally. I declare that I am of legal age to make this will and of sound mind and that this last will and testament expresses my wishes without undue influence or duress.

I bequeath the whole of my estate, property and effects, whether movable or immovable, wheresoever situated and of whatsoever nature to my son James Edward Leivan Jr.

Signed on this 1st day of April 2012

SIGNED: Janet Leivan

Witness Name: Gilbert T. Vidal
Signature: Gilbert T. Vidal

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE
SEP 28 2018
R L FULSAAS

ADMITTED TO PROBATE

9/28/18

OCT 05 2018

Receipt on 8/13/18 of a Will of Janet Leivan, deceased date 4-1-12, pursuant to Sec. 8200 Probate Code, is hereby acknowledged.

CLERK SUPERIOR COURT
By L. Fulman Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Temecula Courthouse

Hearing re Petition for Letters of Administration Appointing SCOTT C TOLSTAD

09/28/2018

8:30 AM

Department T1

PRMC1802244

Estate of: JANET ELAINE LEIVAN

Honorable Mark Cope, Judge
B. Grammer, Courtroom Assistant
T. Frazier, Court Reporter

APPEARANCES:

Jennifer E Dean is present, representing Scott Tolstad

At 08:38 AM the following proceedings were heard:

Court and counsel confer regarding probate notes.

Court and counsel confer regarding any known objections to the petition.

Court finds and orders:

Notice has been given as required by law.

Decedent died on 05/23/12.

Decedent was a resident of California, County of Riverside.

08/13/2018 -

Petition for Letters of Administration appointing SCOTT C TOLSTAD for Letters of Administration granted appointing SCOTT C TOLSTAD as Administrator. Bond not required. Letters of Administration to issue.

Petition is approved as prayed.

Full authority pursuant to Probate Code 10500 granted.

Will dated 04/01/12 admitted to probate on 09/28/18. The will shall be filed.

Formal order signed in court.

Signed Order given to Clerk's office for processing.

| | | | | | |
|--|--|--|--|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Jennifer E. Dean SBN 315583 Shoup Legal, A Professional Law Corporation 38805 Calistoga Drive, Suite 120 Murrieta, California 92563 951-445-4114 951-445-4108 | | TELEPHONE AND FAX NOS.: | | FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE SEP 28 2018 <i>N</i> L. FULSAAS | |
| ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE <input type="checkbox"/> INDIO 46-200 Oasis St., Indio, CA 92201 <input type="checkbox"/> RIVERSIDE 4050 Main St., Riverside, CA 92501 <input checked="" type="checkbox"/> TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591 | | | | | |
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | | DECEDENT | | CASE NUMBER: PRMC1802244 | |
| <input type="checkbox"/> TESTAMENTARY <input checked="" type="checkbox"/> OF ADMINISTRATION WITH WILL ANNEXED | | LETTERS <input type="checkbox"/> OF ADMINISTRATION <input type="checkbox"/> SPECIAL ADMINISTRATION | | | |

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- LETTERS**
- The last will of the decedent named above having been proved, the court appoints (name): **Scott C. Tolstad**
 - executor.
 - administrator with will annexed.
 - The court appoints (name):
 - administrator of the decedent's estate.
 - special administrator of decedent's estate
 - with the special powers specified in the Order for Probate.
 - with the powers of a general administrator.
 - letters will expire on (date):
 - The personal representative is authorized to administer the estate under the Independent Administration of Estates Act with full authority with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
 - The personal representative is not authorized to take possession of money or any other property without a specific court order.

- AFFIRMATION**
- PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 7621(c)).
 - INDIVIDUAL: I solemnly affirm that I will perform the duties of personal representative according to law.
 - INSTITUTIONAL FIDUCIARY (name):
 I solemnly affirm that the institution will perform the duties of personal representative according to law. I make this affirmation for myself as an individual and on behalf of the institution as an officer.
 (Name and title):
 - Executed on (date): **8/10/2018**
 at (place): **Murrieta**, California.

[Signature]
 (SIGNATURE)

CERTIFICATION
 I certify that this document is a correct copy of the original on file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

WITNESS, clerk of the court, with seal of the court affixed.



Date: **9-28-18**
 Clerk, by *[Signature]*
 (DEPUTY)



Date:
 Clerk, by
 (DEPUTY)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):
 Jennifer E. Dean SBN 315583
 Shoup Legal, A Professional Law Corporation
 38606 Callstoga Drive, Suite 120
 Murrieta, California 92563
 951-445-4114 951-445-4108

FOR COURT USE ONLY

FILED

SUPERIOR COURT OF CALIFORNIA
 COUNTY OF RIVERSIDE

SEP 28 2018
 L FULSAAS

AUG 28 2018

OCT 01 2018

CASE NUMBER:
 PRMC1802244

ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

INDIO 46-200 Oasis St., Indio, CA 92201

RIVERSIDE 4050 Main St., Riverside, CA 92501

TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591

ESTATE OF (Name):
 Janet Elaine Leivan, a.k.a. Janet E. Leivan

DECEDENT

ORDER FOR PROBATE

ORDER Executor

APPOINTING Administrator with Will Annexed

Administrator Special Administrator

Order Authorizing Independent Administration of Estate

with full authority with limited authority

WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.

1. Date of hearing: 09/28/18 Time: 8:30 a.m. Dept./Room: T1 Judge: Mark A. Cope

THE COURT FINDS

2. a. All notices required by law have been given.
 b. Decedent died on (date): 05/23/2012
 (1) a resident of the California county named above.
 (2) a nonresident of California and left an estate in the county named above.
 c. Decedent died
 (1) Intestate
 (2) testate
 and decedent's will dated: 4/1/2012 and each codicil dated:
 was admitted to probate by Minute Order on (date): 9-28-18

THE COURT ORDERS

3. (Name): Scott C. Tolstad
 is appointed personal representative:
 a. executor of the decedent's will
 b. administrator with will annexed
 c. administrator
 d. special administrator
 (1) with general powers
 (2) with special powers as specified in Attachment 3d(2)
 (3) without notice of hearing
 (4) letters will expire on (date):
- and letters shall issue on qualification.
4. a. Full authority is granted to administer the estate under the Independent Administration of Estates Act.
 b. Limited authority is granted to administer the estate under the Independent Administration of Estates Act (there is no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
5. a. Bond is not required,
 b. Bond is fixed at: \$ _____ to be furnished by an authorized surety company or as otherwise provided by law.
 c. Deposits of: \$ _____ are ordered to be placed in a blocked account at (specify institution and location): _____ and receipts shall be filed. No withdrawals shall be made without a court order. Additional orders in Attachment 5c.
 d. The personal representative is not authorized to take possession of money or any other property without a specific court order.
6. (Name): _____ is appointed probate referee.

Date: 9-28-18

JOAN CAMPBELL
 Probate Referee
 P.O. Box 2125
 Riverside, CA 92516

MARK A. COPE
 JUDGE OF THE SUPERIOR COURT

SIGNATURE FOLLOWS LAST ATTACHMENT

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 - office
6 951-445-4108 - fax
7 jennifer@shouplegal.com

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

SEP 20 2018
W L FULSAAS

8 Attorney for SCOTT C. TOLSTAD, Petitioner

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF RIVERSIDE, TEMECULA COURTHOUSE

11 In the Matter of the Estate of

12 JANET ELAINE LEIVAN, a.k.a.
13 JANET E. LEIVAN,

14 Decedent.

Case No. PRMC1802244

PROOF OF SERVICE

Date: 9/28/2018
Time: 8:30 A.M.
Dept: T1

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SEP 21 2018

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PROOF OF SERVICE

In Re the Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan, Decedent
Riverside County Superior Court Case No. PRMC1802244

I am employed in Riverside County. I am over the age of 18 and not a party to this action. My business address is 38605 Calistoga Drive, Suite 120, Murrieta, California 92563.

On September 19, 2018, I served the following documents, described as:

1. Supplement to Petition for Probate with Will Annexed;
2. Declaration of James E. Leivan, Jr. Regarding Will of Decedent;
3. Declaration of Diligent Search.

in this action by placing true copies of the document in separate sealed envelopes to the following address:

SEE ATTACHED SERVICE LIST

BY U.S. MAIL I deposited such envelope in the mail at Murrieta, California. The envelopes were mailed with postage thereon fully prepaid.

I am readily familiar with the practice of collection and processing correspondence for mailing. Under that practice, documents are deposited with the U.S. Postal Service on the same day which is stated in the proof of service, with postage fully prepaid at Murrieta, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date stated in this proof of service.

BY FEDERAL EXPRESS I am familiar with the firm's practice of collecting and processing correspondence for delivery via Federal Express. Under that practice, it would be picked up by Federal Express on that same day at Murrieta, California and delivered to the parties as listed on this Proof of Service the following business morning.

BY FACSIMILE I caused the above-referenced document to be transmitted via facsimile to the parties as listed on this Proof of Service.

STATE I declare under penalty of perjury under the laws of the state of California, that the above is true and correct.

FEDERAL I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made

Executed on September 19, 2018, at Murrieta, California.


KATHLEEN A. CURTIS

SERVICE LIST

***In Re the Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan, Decedent
Riverside County Superior Court Case No. PRMC1802244***

1. Scott C. Tolstad
P.O. Box 897
Valley Center, CA 92082
Petitioner; nominated as administrator
with will annexed
2. Denell D. Dewater
3585 Balboa Drive
Reno, NV 89503-1807
Daughter
3. Cheryl J. Green
614 K Street, Apt. A
Bakersfield, CA 93304
Daughter
4. James Edward Leivan, Jr.
32694 Galleano Avenue
Winchester, CA 92596
Son; named beneficiary of Will dated
4/1/2012
5. Carrie Willoughby Pulido
P.O. Box 145
Bakersfield, CA 93283
Issue of deceased daughter Debra
Willoughby Wisner
6. Patricia Deannie Flanagan
126 Clyde Street
Bakersfield, CA 93307
Issue of deceased daughter Debra
Willoughby Wisner
7. California Medical Facility
James Noel Flanagan
CDCR No. V36539
P.O. Box 2000
Vacaville, CA 95696
Issue of deceased daughter Debra
Willoughby Wisner

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 – office
6 951-445-4108 – fax
7 jennifer@shouplegal.com

8 Attorney for SCOTT C. TOLSTAD, Petitioner

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

SEP 20 2018

L. FULSAAS

9
10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **IN AND FOR THE COUNTY OF RIVERSIDE**
12 **TEMECULA COURTHOUSE**

13 **In the Matter of the Estate of**

14 **JANET ELAINE LEIVAN, a.k.a.**
15 **JANET E. LEIVAN,**

16 **Decedent**

Case No.: PRMC1802244

**DECLARATION OF JAMES EDWARD
LEIVAN, JR. REGARDING WILL OF
DECEDENT**

Date: 9/28/2018

Time: 8:30 A.M.

Dept: T1

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23 I, JAMES EDWARD LEIVAN, JR., do declare as follows:

- 24 1. I am the son of the decedent.
- 25 2. I lived with my mother and father in their final years in an apartment below their
26 house and provided them assistance with things around the house, when needed.
- 27 3. In the months before my mother passed, my mother was in ill health, and had
28 been hospitalized, and asked me to locate a Will she had made at some point in the past.

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1 4. I was unable to locate the Will she was referencing.

2 5. My mother was concerned about the disposition of her estate, and that her missing
3 Will would not be discovered, and directed to me to type up a will, which she then signed.

4 6. At the time she instructed me to type up the Will, she expressed that she wanted
5 me to inherit the house and her personal property partly because I had invested \$20,000.00 in
6 cash toward building the home located at 32694 Galleano Avenue, Winchester, California
7 92596. The total cost to build the house was approximately \$140,000.00.

8 7. My mother's friend, Gilbert Vidal, witnessed the Will in my mom's hospital
9 room. I was not present at the time my mother signed the Will.

10 8. I have not had contact with my mother's friend since the time of my mother's
11 passing, but I believe she knew him through a senior group she was associated with.

12 9. My mother gave me the Will dated April 1, 2012 that she executed in the hospital.

13 10. I am familiar with my mother's handwriting, and identify the handwritten portions
14 of the Will dated April 1, 2012 as being written in my mother's hand

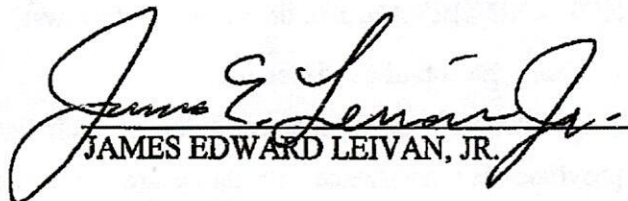
15 11. After my mother passed, I located her previous Will hidden in a plastic box on top
16 of the microwave in her kitchen. I have attached a copy of her previous Will here, dated January
17 24, 2007, as Exhibit "A."

18 12. I am familiar with my mother's handwriting, and identify the handwritten Will
19 dated January 24, 2007 as being written in my mother's hand.

20 13. I did not offer my mother's previous Will for probate because the new Will she
21 made just before her death revoked all previous wills.

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

24 Date: September 17, 2018

25 
26 JAMES EDWARD LEIVAN, JR.
27
28

To My Son Sammie

I Janet Leivan leave all
I have, house, money,
things, to James E. Leivan Jr.
upon my death.

This is my only will.
first and last as of
Jan. 24th 2007.

Janet Elaine Leivan

EXHIBIT "A"

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 - office
6 951-445-4108 - fax
7 jennifer@shouplegal.com

8 Attorney for SCOTT C. TOLSTAD, Petitioner

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

SEP 20 2018

JF
L. FULSAAS

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF RIVERSIDE, TEMECULA COURTHOUSE

11 In the Matter of the Estate of

12 JANET ELAINE LEIVAN, a.k.a.
13 JANET E. LEIVAN,

14 Decedent.

Case No. PRMC1802244

15 **DECLARATION OF DILIGENT**
16 **SEARCH**

17 Date: 9/28/2018
18 Time: 8:30 A.M.
19 Dept: T1

20 I, KATHLEEN A. CURTIS, do hereby declare:

21 1. I have personal knowledge of the matters discussed below and, if called as a
22 witness, I could competently testify to them.

23 2. I am a paralegal to the attorney for Petitioner, Scott C. Tolstad.

24 3. I took the following steps to locate the heirs of the decedent in this matter.

25 4. I spoke with the decedent's son, James E. Leivan, Jr. concerning the known heirs
26 of the decedent.

27 5. Mr. Leivan identified the following as being children of the decedent:

28 a. Denell Leivan DeWater, who he believed resided in Sparks, Nevada.

DECLARATION OF DILIGENT SEARCH

1 b. Himself, James Edward Leivan, Jr., who lived with the decedent at the time
2 of her death.

3 c. Debra Leivan, who he noted was deceased and had moved "east" (possibly
4 to Missouri) when he was a child. He also noted that she had two children: Gary,
5 the oldest, who he believed was serving time in prison, and Carrie.

6 d. Cheryl Leivan Green, who he believed resided in Bakersfield, California.

7 6. Based on this information, I conducted an internet search to attempt to identify
8 addresses for Denell Leivan DeWater and Cheryl Leivan Green. I identified an address for each
9 of them.

10 7. I also attempted to search prison records for an inmate named Gary Leivan.
11 Although I was able to identify an inmate in another state as a Gary Leivan, I do not believe he
12 is the person I was attempting to identify because he was not of the appropriate age.

13 8. My office contacted an heir search firm, Kemp & Associates, who agreed to
14 conduct a search at no cost to the estate.

15 9. In its initial informal report, the representative from Kemp & Associates identified
16 two children of Debra (Leivan), and further identified her as "Debra Dee Leivan Willoughby
17 Wisner." Her two children were identified as "Carrie Willoughby Pulido" of Weldon,
18 California, and Michael Willoughby, deceased.

19 10. We received a further informal report from Kemp & Associates, which provided
20 further information regarding the children of Debra Dee Leivan Willoughby Wisner, identifying
21 further children as "Gary Lee Flanagan" who was believed to have died in prison; "James Noel
22 Flanagan" who is believed to be in an institution for the criminally insane; and "Patricia Deanne
23 Flanagan" who is believed to reside in Bakersfield, California.

24 11. I conducted an internet search to attempt to locate both James Noel Flanagan and
25 Gary Lee Flanagan. I was able to identify the institution where James Flanagan is housed and
26 obtained mailing information from the facility.

27 12. I searched the California Bureau of Prisons Records and learned that Gary Lee
28 Flanagan's last place of incarceration was Calipatria State Prison in Calipatria, California. After


1 speaking with a prison administrator, I learned that Mr. Flanagan passed away on October 24,
2 2012.

3 13. Although I was not initially aware that Patricia Deanne Flanagan was an heir of
4 the decedent, I sent a copy of the petition and gave her notice of the estate proceedings.

5 14. I have attempted to serve Cheryl Green and Denell DeWater, but all
6 correspondence to the two of them has been returned undeliverable. I am attempting to re-serve
7 both of them at additional addresses I have located for them.

8
9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct.

11
12 Date: September 19, 2018


Kathleen A. Curtis

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 - office
6 951-445-4108 - fax
7 jennifer@shouplegal.com

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

SEP 20 2018

L. FULSAAS

Attorney for SCOTT C. TOLSTAD, Petitioner

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF RIVERSIDE, TEMECULA COURTHOUSE

SEP 21 2018

11 In the Matter of the Estate of

12 JANET ELAINE LEIVAN, a.k.a.
13 JANET E. LEIVAN,

14 Decedent.

Case No. PRMC1802244

**SUPPLEMENT TO PETITION
FOR PROBATE WITH WILL
ANNEXED**

15 Date: 9/28/2018
16 Time: 8:30 A.M.
17 Dept: T1

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20 1. SCOTT C. TOLSTAD, the Petitioner in this matter, filed his Petition for Letters
21 of Administration with Will Annexed on August 13, 2018.

22 2. Item #1 of the Probate Examiner's Notes dated August 31, 2018, states as
23 follows:

24 "No proof of subscribing witness"

25 In response to Item #1, Petitioner alleges as follows:

26 Petitioner has sent correspondence to the believed address of the witness to the Will.
27 Petitioner has also filed the Declaration of James Edward Leivan, Jr. Regarding Will of
28 Decedent concurrently herewith.

1 3. Item #2 of the Probate Examiner's Notes dated August 31, 2018, states as
2 follows:

3 "No address listed for Gary Leivan (issue of predeceased child/heir)"

4 In response to Item #2, Petitioner alleges as follows:

5 Petitioner has received further information which indicates that Gary Leivan's full
6 name is be Gary Lee Fianagan. Petitioner learned that Mr. Flanagan was incarcerated and
7 died in prison in 2012. Petitioner has filed a Declaration of Diligent Search concurrently
8 herewith.

9 4. Item #3 of the Probate Examiner's Notes dated August 31, 2018, states as
10 follows:

11 "No notice to Gary Leivan"

12 In response to Item #3, Petitioner alleges as follows:

13 Petitioner has received further information which indicates that Gary Leivan's full
14 name is be Gary Lee Flanagan. Petitioner learned that Mr. Flanagan was incarcerated and
15 died in prison in 2012. Petitioner has filed a Declaration of Diligent Search concurrently
16 herewith.

17 5. Item #4 of the Probate Examiner's Notes dated August 31, 2018, states as
18 follows:

19 "Petition appears incomplete at item 8- Patricia Deanne Flanagan (issue of
20 predeceased child) is not listed; however, she was given notice."

21 In response to Item #4, Petitioner alleges as follows:

22 Additional persons have been identified as heirs of the decedent. Petitioner has also
23 identified further possible addresses for heirs of the decedent which differ from the addresses
24 previously alleged in the Petition. Petitioner alleges that paragraph 8 on page 4 of the
25 Petition should provide as follows:

26

| | <u>Name and relationship to decedent</u> | <u>Age</u> | <u>Address</u> |
|--------|---|------------|---|
| 27 (1) | Scott Tolstad, Petitioner; nominated as 28 administrator with will annexed | Adult | P.O. Box 897 Valley Center, CA 92082 |

| | | | | |
|----|------|--|-------|--|
| 1 | (2) | Denell D. DeWater, daughter | Adult | 3585 Balboa Drive Reno, NV 89503-1807 |
| 2 | (3) | Cheryl J. Green, daughter | Adult | 614 K Street, Apt. A Bakersfield, CA 93304 |
| 3 | (4) | Debra Willoughby Wisner, predeceased daughter | Adult | Deceased (DOD 6/9/1994) |
| 4 | (5) | James Edward Leivan, Jr., son; named beneficiary of Will dated April 1, 2012 | Adult | 32694 Galleane Avenue Wincester, CA 92596 |
| 5 | (6) | James Edward Leivan, Sr. predeceased spouse | Adult | Deceased (DOD 6/27/2011) |
| 6 | (7) | Gary Lee Flanagan, issue of deceased daughter Debra Willoughby Wisner | Adult | Deceased (DOD 10/24/2012) |
| 7 | (8) | Carrie Willoughby Pulido, issue of deceased daughter Debra Willoughby Wisner | Adult | P.O. Box 145 Weldon, CA 93283 |
| 8 | (9) | Michael Willoughby, predeceased issue of deceased daughter Debra Willoughby Wisner | Adult | Deceased (DOD 2/2/1974) |
| 9 | (10) | Patricia Deanne Flanagan, issue of deceased daughter Debra Willoughby Wisner | Adult | 326 G. Street Bakersfield, CA 93304 |
| 10 | (11) | James Noel Flanagan, issue of deceased daughter Debra Willoughby Wisner | Adult | California Medical Facility CDCR No. V36539 P.O. Box 2000 Vacaville, CA 95696 |
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Respectfully submitted,

Date: September 19th, 2018


SCOTT C. TOLSTAD, Petitioner

SHOUP LEGAL, A Professional Law Corporation

Date: September 19th, 2018

By: 
JENNIFER E. DEAN, Attorney for Petitioner

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VERIFICATION

I, SCOTT C. TOLSTAD, the Petitioner in this matter, declare that I have read the foregoing and know the contents thereof, which are true of my own knowledge, except for those matters stated on my information and belief, and as to those matters, I believe the foregoing to be true.

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

Date: September 19th, 2018



SCOTT C. TOLSTAD

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 - office
6 951-445-4108 - fax
7 jennifer@shouplegal.com

8 Attorney for SCOTT C. TOLSTAD, Petitioner

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

SEP 20 2018

L. PULSAAS

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SEP 21 2018

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF RIVERSIDE, TEMECULA COURTHOUSE

11 In the Matter of the Estate of

12 JANET ELAINE LEIVAN, a.k.a.
13 JANET E. LEIVAN,

14 Decedent.

Case No. PRMC1802244

PROOF OF SERVICE

Date: 9/28/2018
Time: 8:30 A.M.
Dept: T1

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PROOF OF SERVICE

In Re the Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan, Decedent
Riverside County Superior Court Case No. PRMC1802244

I am employed in Riverside County. I am over the age of 18 and not a party to this action. My business address is 38605 Calistoga Drive, Suite 120, Murrieta, California 92563.

On September 19, 2018, I served the following documents, described as:

1. **Notice of Department Assignment;**
2. **Certificate of Assignment.**
3. **Declaration of James E. Leivan, Jr. Regarding Consent of Filing of Petition for Probate; Nomination of Administrator; Waiver of Notice of Hearings.**

in this action by placing true copies of the document in separate sealed envelopes to the following address:

Carrie Willoughby Pulido
P.O. Box 145
Bakersfield, CA 93283

BY U.S. MAIL I deposited such envelope in the mail at Murrieta, California. The envelopes were mailed with postage thereon fully prepaid.

I am readily familiar with the practice of collection and processing correspondence for mailing. Under that practice, documents are deposited with the U.S. Postal Service on the same day which is stated in the proof of service, with postage fully prepaid at Murrieta, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date stated in this proof of service.

BY FEDERAL EXPRESS I am familiar with the firm's practice of collecting and processing correspondence for delivery via Federal Express. Under that practice, it would be picked up by Federal Express on that same day at Murrieta, California and delivered to the parties as listed on this Proof of Service the following business morning.

BY FACSIMILE I caused the above-referenced document to be transmitted via facsimile to the parties as listed on this Proof of Service.

STATE I declare under penalty of perjury under the laws of the state of California, that the above is true and correct.

FEDERAL I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made

Executed on September 19, 2018, at Murrieta, California.


KATHLEEN A. CURTIS

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Jennifer E. Dean SBN 315583
 Shoup Legal, A Professional Law Corporation
 38605 Calistoga Drive, Suite 120
 Murrieta, California 92563

TELEPHONE NO.: 951-445-4114 FAX NO. (Optional): 951-445-4108

E-MAIL ADDRESS (Optional): jennifer@shouplegal.com

ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner

FOR COURT USE ONLY

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF RIVERSIDE

SEP 20 2018
 L PULSAAS

SEP 21 2018

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

INDIO 46-200 Oasis St., Indio, CA 92201

RIVERSIDE 4050 Main St., Riverside, CA 92501

TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591

ESTATE OF (Name):
Janet Elaine Leivan, a.k.a. Janet E. Leivan

DECEDENT

NOTICE OF PETITION TO ADMINISTER ESTATE OF
 (Name): **Janet Elaine Leivan, a.k.a. Janet E. Leivan**

CASE NUMBER:
PRMC1802244

- To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of (specify all names by which the decedent was known):
JANET ELAINE LEIVAN, a.k.a. JANET E. LEIVAN
- A Petition for Probate has been filed by (name of petitioner): **Scott C. Tolstad** in the Superior Court of California, County of (specify): **Riverside**
- The Petition for Probate requests that (name): **Scott C. Tolstad** be appointed as personal representative to administer the estate of the decedent.
- The petition requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.
- The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.
- A hearing on the petition will be held in this court as follows:

a. Date: **09/28/18** Time: **8:30 a.m.** Dept.: **T1** Room:

b. Address of court: same as noted above other (specify):

- If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.
- If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.
- You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.
- Petitioner Attorney for petitioner (name): **Jennifer E. Dean**

(Address): **38605 Calistoga Drive, Suite 120, Murrieta, California 92563**

(Telephone): **(951) 445-4114**

NOTE: If this notice is published, print the caption, beginning with the words NOTICE OF PETITION TO ADMINISTER ESTATE, and do not print the information from the form above the caption. The caption and the decedent's name must be printed in at least 8-point type and the text in at least 7-point type. Print the case number as part of the caption. Print items preceded by a box only if the box is checked. Do not print the italicized instructions in parentheses, the paragraph numbers, the mailing information, or the material on page 2.

| | |
|--|-----------------------------|
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | CASE NUMBER: PRMC1802244 |
| DECEDENT | |

PROOF OF SERVICE BY MAIL

- I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
- My residence or business address is (specify):
38605 Calistoga Drive, Suite 120, Murrieta, California 92563
- I served the foregoing *Notice of Petition to Administer Estate* on each person named below by enclosing a copy in an envelope addressed as shown below AND
 - depositing the sealed envelope with the United States Postal Service on the date and at the place shown in item 4, with the postage fully prepaid.
 - placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- a. Date mailed: 9/19/2018 b. Place mailed (city, state): Murrieta, California

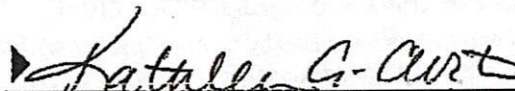
5. I served, with the *Notice of Petition to Administer Estate*, a copy of the petition or other document referred to in the notice.

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

Date: 9/19/2018

Kathleen A. Curtis

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)



(SIGNATURE OF PERSON COMPLETING THIS FORM)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

| | Name of person served | Address (number, street, city, state, and zip code) |
|----|--------------------------|---|
| 1. | Carrie Willoughby Pulido | P.O. Box 145, Bakersfield, CA 93283 |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |

Continued on an attachment. (You may use form DE-121(MA) to show additional persons served.)

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code section 54.8.)



| | |
|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Jennifer E. Dean SBN 315583 Shoup Legal, A Professional Law Corporation 38605 Calistoga Drive, Suite 120 Murrieta, California 92563 TELEPHONE NO.: 951-445-4114 FAX NO. (Optional): 951-445-4108 E-MAIL ADDRESS (Optional): jennifer@shouplaw.com ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner | FOR COURT USE ONLY <div style="text-align: center;"> FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE <i>[Signature]</i> SEP 20 2018 I. PULSAAS </div> <div style="text-align: right; border: 1px solid black; padding: 2px;"> SEP 21 2018 </div> |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE <input type="checkbox"/> INDIO 46-200 Oasis St., Indio, CA 92201 <input type="checkbox"/> RIVERSIDE 4050 Main St., Riverside, CA 92501 <input checked="" type="checkbox"/> TEMECULA 41002 County Center Dr., Sta. 100, Temecula, CA 92591 | |
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan <div style="text-align: right;">DECEDENT</div> | |
| NOTICE OF PETITION TO ADMINISTER ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | CASE NUMBER: PRMC1802244 |

- To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of (specify all names by which the decedent was known):
JANET ELAINE LEIVAN, a.k.a. JANET E. LEIVAN
- A Petition for Probate has been filed by (name of petitioner): **Scott C. Tolstad** in the Superior Court of California, County of (specify): **Riverside**
- The Petition for Probate requests that (name): **Scott C. Tolstad** be appointed as personal representative to administer the estate of the decedent.
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- A hearing on the petition will be held in this court as follows:

| | | | |
|--------------------------|------------------------|------------------|-------|
| a. Date: 09/28/18 | Time: 8:30 a.m. | Dept.: T1 | Room: |
|--------------------------|------------------------|------------------|-------|
- Address of court: same as noted above other (specify):
- If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.
- If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.
- You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.
- Petitioner Attorney for petitioner (name): **Jennifer E. Dean**
 (Address): **38605 Calistoga Drive, Suite 120, Murrieta, California 92563**

 (Telephone): **(951) 445-4114**

NOTE: If this notice is published, print the caption, beginning with the words NOTICE OF PETITION TO ADMINISTER ESTATE, and do not print the information from the form above the caption. The caption and the decedent's name must be printed in at least 8-point type and the text in at least 7-point type. Print the case number as part of the caption. Print items preceded by a box only if the box is checked. Do not print the italicized instructions in parentheses, the paragraph numbers, the mailing information, or the material on page 2.

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| ESTATE OF (Name): <p style="text-align: center;">Janet Elaine Leivan, a.k.a. Janet E. Leivan</p> <p style="text-align: right;">DECEDENT</p> | CASE NUMBER: <p style="text-align: center;">PRMC1802244</p> |
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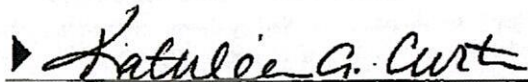
PROOF OF SERVICE BY MAIL

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (specify):
 38605 Calistoga Drive, Suite 120, Murrieta, California 92563
3. I served the foregoing *Notice of Petition to Administer Estate* on each person named below by enclosing a copy in an envelope addressed as shown below AND
 - a. depositing the sealed envelope with the United States Postal Service on the date and at the place shown in item 4, with the postage fully prepaid.
 - b. placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
4. a. Date mailed: 9/12/2018 b. Place mailed (city, state): Murrieta, California
5. I served, with the *Notice of Petition to Administer Estate*, a copy of the petition or other document referred to in the notice. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 9/12/2018

Kathleen A. Curtis

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)



(SIGNATURE OF PERSON COMPLETING THIS FORM)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

| | Name of person served | Address (number, street, city, state, and zip code) |
|----|-----------------------|---|
| 1. | | See attached Service List. |
| 2. | | |
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| 5. | | |
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Continued on an attachment. (You may use form DE-121(MA) to show additional persons served.)

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code section 54.8.)



SERVICE LIST


In Re the Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan, Decedent
Riverside County Superior Court Case No. PRMC1802244

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1. Denell D. Dewater
3585 Balboa Drive
Reno, NV 89503-1807
Daughter
2. Cheryl J. Green
614 K Street, Apt. A
Bakersfield, CA 93304
Daughter
3. Carrie Willoughby Pulido
1809 Lacey Street, #8
Bakersfield, CA 93304-5944
Issue of deceased daughter Debra
Willoughby Wisner

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 - office
6 951-445-4108 - fax
7 jennifer@shouplegal.com

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

 SEP 20 2018
L. FULSAAS

8 Attorney for SCOTT C. TOLSTAD, Petitioner

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF RIVERSIDE, TEMECULA COURTHOUSE

FILED
SEP 21 2018
TOS

11 In the Matter of the Estate of

Case No. PRMC1802244

12 JANET ELAINE LEIVAN, a.k.a.
13 JANET E. LEIVAN,

PROOF OF SERVICE

14 Decedent.

15 Date: 9/28/2018
16 Time: 8:30 A.M.
17 Dept: T1

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PROOF OF SERVICE

In Re the Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan, Decedent
Riverside County Superior Court Case No. PRMC1802244

I am employed in Riverside County. I am over the age of 18 and not a party to this action. My business address is 38605 Calistoga Drive, Suite 120, Murrieta, California 92563.

On September 13, 2018, I served the following documents, described as:

1. **Notice of Department Assignment;**
2. **Certificate of Assignment.**
3. **Declaration of James E. Leivan, Jr. Regarding Consent of Filing of Petition for Probate; Nomination of Administrator; Waiver of Notice of Hearings.**

in this action by placing true copies of the document in separate sealed envelopes to the following address:

| Name and address: | Relationship to decedent: |
|-----------------------------|---|
| California Medical Facility | Issue of deceased daughter Debra Willoughby |
| James Noel Flanagan | Wisner |
| CDCR No. V36539 | |
| P.O. Box 2000 | |
| Vacaville, CA 95696 | |

BY U.S. MAIL I deposited such envelope in the mail at Murrieta, California. The envelopes were mailed with postage thereon fully prepaid.

I am readily familiar with the practice of collection and processing correspondence for mailing. Under that practice, documents are deposited with the U.S. Postal Service on the same day which is stated in the proof of service, with postage fully prepaid at Murrieta, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date stated in this proof of service.

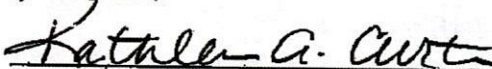
BY FEDERAL EXPRESS I am familiar with the firm's practice of collecting and processing correspondence for delivery via Federal Express. Under that practice, it would be picked up by Federal Express on that same day at Murrieta, California and delivered to the parties as listed on this Proof of Service the following business morning.

BY FACSIMILE I caused the above-referenced document to be transmitted via facsimile to the parties as listed on this Proof of Service.

STATE I declare under penalty of perjury under the laws of the state of California, that the above is true and correct.

FEDERAL I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made

Executed on September 13, 2018, at Murrieta, California.


KATHLEEN A. CURTIS

| | |
|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Jennifer E. Dean SBN 315583 Shoup Legal, A Professional Law Corporation 38605 Calistoga Drive, Suite 120 Murrieta, California 92563 TELEPHONE NO.: 951-445-4114 FAX NO. (Optional): 951-445-4108 E-MAIL ADDRESS (Optional): jennifer@shouplegal.com ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner | FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE SEP 20 2018 L. PULSAAS SEP 21 2018 PM |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE <input type="checkbox"/> INDIO 46-200 Oasis St., Indio, CA 92201 <input type="checkbox"/> RIVERSIDE 4050 Main St., Riverside, CA 92501 <input checked="" type="checkbox"/> TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591 | |
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan DECEDENT | |
| NOTICE OF PETITION TO ADMINISTER ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | CASE NUMBER: PRMC1802244 |

- To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of (specify all names by which the decedent was known):
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- A hearing on the petition will be held in this court as follows:

a. Date: **09/28/18** Time: **8:30 a.m.** Dept.: **T1** Room:

b. Address of court: same as noted above other (specify):

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- Petitioner Attorney for petitioner (name): **Jennifer E. Dean**

(Address): **38605 Calistoga Drive, Suite 120, Murrieta, California 92563**

(Telephone): **(951) 445-4114**

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| | |
|---|------------------------------------|
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | CASE NUMBER: PRMC1802244 |
| DECEDENT | |

PROOF OF SERVICE BY MAIL

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
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38605 Calistoga Drive, Suite 120, Murrieta, California 92563
3. I served the foregoing *Notice of Petition to Administer Estate* on each person named below by enclosing a copy in an envelope addressed as shown below **AND**
 - a. depositing the sealed envelope with the United States Postal Service on the date and at the place shown in item 4, with the postage fully prepaid.
 - b. placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
4. a. Date mailed: 9 / 13 / 2018 b. Place mailed (city, state): Murrieta, California
5. I served, with the *Notice of Petition to Administer Estate*, a copy of the petition or other document referred to in the notice. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 9 / 13 / 2018

Kathleen A. Curtis

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)



(SIGNATURE OF PERSON COMPLETING THIS FORM)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

| | <u>Name of person served</u> | <u>Address (number, street, city, state, and zip code)</u> |
|----|------------------------------|--|
| 1. | | California Medical Facility James Noel Flanagan CDCR No. V36539 P.O. Box 2000 Vacaville, CA 95696 |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |

Continued on an attachment. (You may use form DE-121(MA) to show additional persons served.)

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| | |
|---|---|
| <p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Jennifer E. Dean (SBN 315583) Shoup Legal, A Professional Law Corporation 38605 Calistoga Drive, Suite 120 Murrieta, California 92563 TELEPHONE NO.: 951-445-4114 FAX NO. (Optional): 951-445-4108 E-MAIL ADDRESS (Optional): jennifer@shouplegal.com ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner</p> | <p>FOR COURT USE ONLY</p> <p>FILED</p> <p>SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE</p> <p>SEP 20 2018</p> <p>L. FULSAAS</p> |
| <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS: 41002 County Center Drive, Suite 120 MAILING ADDRESS: 41002 County Center Drive, Suite 120 CITY AND ZIP CODE: Temecula, CA 92591 BRANCH NAME: Temecula Courthouse</p> | |
| <p>PLAINTIFF/PETITIONER: Scott C. Tolstad, Petitioner DEFENDANT/RESPONDENT: Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan</p> | |
| <p>NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL</p> | <p>CASE NUMBER: PRMC1802244</p> |

SEP 21 2018

TO (insert name of party being served): James E. Leivan, Jr.

NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: August 20, 2018

Kathleen A. Curtis
 (TYPE OR PRINT NAME)

Kathleen A. Curtis
 (SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

ACKNOWLEDGMENT OF RECEIPT

This acknowledges receipt of (to be completed by sender before mailing):

1. A copy of the summons and of the complaint.
2. Other (specify):
 (1) Notice of Petition to Administer Estate; (2) Petition for Probate of Will and for Letters of Administration with Will Annexed; (3) Notice of Department Assignment; (4) Certificate of Assignment; (5) Declaration of James E. Leivan, Jr. Regarding Consent of Filing of Petition for Probate; Nomination of Administrator; Waiver of Notice of Hearings.

(To be completed by recipient):

Date this form is signed: 9/17/2018

James E. Leivan, Jr.
 (TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY, ON WHOSE BEHALF THIS FORM IS SIGNED)

James E. Leivan, Jr.
 (SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-884-1200
951-368-9018 FAX

PROOF OF PUBLICATION
(2010, 2015.5 C.C.P.)

Publication(s): Riverside-Southwest Zone

PROOF OF PUBLICATION OF

Ad Desc: / PRMC1802244 / Leivan

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013, that the notice of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

08/23, 08/30, 08/31/2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date August 31, 2018
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

SHOUP LEGAL, A PROFESSIONAL LAW CORP
29996 TECHNOLOGY DRIVE, SUITE 101
MURRIETA, CA 92563

Ad Number: 0011163524-01

P.O. Number: PRMC1802244 / Leivan

Ad Copy:

**NOTICE OF PETITION
TO ADMINISTER ESTATE OF:**
Janet Elaine Leivan, a.k.a.
Janet E. Leivan

CASE NUMBER: PRMC1802244

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: JANE ELAINE LEIVAN, a.k.a. JANET E. LEIVAN

A Petition for Probate has been filed by: Scott C. Tolstad in the Superior Court of California, County of Riverside

The Petition for Probate requests that: Scott C. Tolstad be appointed as personal representative to administer the estate of the decedent.

The petition requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A hearing on the petition will be held in this court as follows:

Date: 08/28/18 Time: 8:30 a.m.
Dept.: 11

Address of court: 41002 County Center Dr., Ste. 100, Temecula, CA 92591

If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California Statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California Law.

You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for Petitioner:
Jennifer E. Dean
38605 Colisioga Drive, Suite 128,
Murrieta, California 92563
(951) 445-4114

8/23, 8/30, 8/31

FILED
Superior Court of California
County of Riverside

8/31/2018

T. Hale

By Fax

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 - office
6 951-445-4108 - fax
7 jennifer@shouplegal.com

8 Attorney for SCOTT C. TOLSTAD, Petitioner

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG 22 2018

11 L. EILSAAS

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AUG 22 2018
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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF RIVERSIDE, TEMECULA COURTHOUSE

11 In the Matter of the Estate of

12 JANET ELAINE LEIVAN, a.k.a.
13 JANET E. LEIVAN,

14 Decedent.

Case No. PRMC1802244

PROOF OF SERVICE

Date: 9/28/2018
Time: 8:30 A.M.
Dept: T1

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PROOF OF SERVICE

In Re the Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan, Decedent
Riverside County Superior Court Case No. PRMC1802244

I am employed in Riverside County. I am over the age of 18 and not a party to this action. My business address is 38605 Calistoga Drive, Suite 120, Murrieta, California 92563.

On August 20, 2018, I served the following documents, described as:

1. **Notice of Department Assignment;**
2. **Certificate of Assignment.**
3. **Declaration of James E. Leivan, Jr. Regarding Consent of Filing of Petition for Probate; Nomination of Administrator; Waiver of Notice of Hearings.**

in this action by placing true copies of the document in separate sealed envelopes to the following address:

SEE ATTACHED SERVICE LIST

BY U.S. MAIL I deposited such envelope in the mail at Murrieta, California. The envelopes were mailed with postage thereon fully prepaid.

I am readily familiar with the practice of collection and processing correspondence for mailing. Under that practice, documents are deposited with the U.S. Postal Service on the same day which is stated in the proof of service, with postage fully prepaid at Murrieta, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date stated in this proof of service.

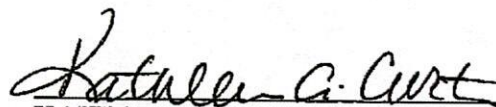
BY FEDERAL EXPRESS I am familiar with the firm's practice of collecting and processing correspondence for delivery via Federal Express. Under that practice, it would be picked up by Federal Express on that same day at Murrieta, California and delivered to the parties as listed on this Proof of Service the following business morning.

BY FACSIMILE I caused the above-referenced document to be transmitted via facsimile to the parties as listed on this Proof of Service.

STATE I declare under penalty of perjury under the laws of the state of California, that the above is true and correct.

FEDERAL I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made

Executed on August 20, 2018, at Murrieta, California.


KATHLEEN A. CURTIS

SERVICE LIST

***In Re the Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan, Decedent
Riverside County Superior Court Case No. PRMC1802244***

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1. Scott C. Tolstad
P.O. Box 897
Valley Center, CA 92082
Petitioner; nominated as administrator
with will annexed

2. Denell D. Dewater
1855 Baring Blvd., Apt. 2203
Sparks, NV 89434-6791
Daughter

3. Cheryl J. Green
2607 Gemline Avenue
Bakersfield, CA 93304-5414
Daughter

4. James Edward Leivan, Jr.
32694 Galleano Avenue
Winchester, CA 92596
Son; named beneficiary of Will dated
4/1/2012

5. Carrie Willoughby Pulido
P.O. Box 45
Weldon, CA 93283
Issue of deceased daughter Debra
Willoughby Wisner

6. Patricia Deanne Flanagan
126 Clyde Street
Bakersfield, CA 93307
Issue of deceased daughter Debra
Willoughby Wisner

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
 Jennifer E. Dean SBN 315583
 Shoup Legal, A Professional Law Corporation
 38605 Calistoga Drive, Suite 120
 Murrieta, California 92563
 TELEPHONE NO.: 951-445-4114 FAX NO. (Optional): 951-445-4108
 E-MAIL ADDRESS (Optional): jennifer@shouplegal.com
 ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE
 INDIO 46-200 Oasis St., Indio, CA 92201
 RIVERSIDE 4050 Main St., Riverside, CA 92501
 TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591

ESTATE OF (Name):
 Janet Elaine Leivan, a.k.a. Janet E. Leivan
 DECEDENT

NOTICE OF PETITION TO ADMINISTER ESTATE OF
 (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan

FOR COURT USE ONLY

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF RIVERSIDE

AUG 22 2018
 L. FULSAAAS

CASE NUMBER:
 PRMC1802244

AUG 23 2018

- To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of (specify all names by which the decedent was known):
 JANET ELAINE LEIVAN, a.k.a. JANET E. LEIVAN
- A Petition for Probate has been filed by (name of petitioner): Scott C. Tolstad in the Superior Court of California, County of (specify): Riverside
- The Petition for Probate requests that (name): Scott C. Tolstad be appointed as personal representative to administer the estate of the decedent.
- The petition requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.
- The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.
- A hearing on the petition will be held in this court as follows:

| | | | |
|-------------------|-----------------|-----------|-------|
| a. Date: 09/28/18 | Time: 8:30 a.m. | Dept.: T1 | Room: |
|-------------------|-----------------|-----------|-------|

b. Address of court: same as noted above other (specify):
- If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.
- If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.
- You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.
- Petitioner Attorney for petitioner (name): Jennifer E. Dean
 (Address): 38605 Calistoga Drive, Suite 120, Murrieta, California 92563
 (Telephone): (951) 445-4114

NOTE: If this notice is published, print the caption, beginning with the words NOTICE OF PETITION TO ADMINISTER ESTATE, and do not print the information from the form above the caption. The caption and the decedent's name must be printed in at least 8-point type and the text in at least 7-point type. Print the case number as part of the caption. Print items preceded by a box only if the box is checked. Do not print the italicized instructions in parentheses, the paragraph numbers, the mailing information, or the material on page 2.

| | |
|--|-----------------------------|
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | CASE NUMBER: PRMC1802244 |
| DECEDENT | |

PROOF OF SERVICE BY MAIL

- I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
- My residence or business address is (specify):
38605 Calistoga Drive, Suite 120, Murrieta, California 92563
- I served the foregoing *Notice of Petition to Administer Estate* on each person named below by enclosing a copy in an envelope addressed as shown below AND
 - depositing the sealed envelope with the United States Postal Service on the date and at the place shown in item 4, with the postage fully prepaid.
 - placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- a. Date mailed: 8/20/2018 b. Place mailed (city, state): Murrieta, California
- I served, with the *Notice of Petition to Administer Estate*, a copy of the petition or other document referred to in the notice. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 8/20/2018

Kathleen A. Curtis

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

Kathleen A. Curtis

(SIGNATURE OF PERSON COMPLETING THIS FORM)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

| | <u>Name of person served</u> | <u>Address (number, street, city, state, and zip code)</u> |
|----|------------------------------|--|
| 1. | | See attached Service List. |
| 2. | | |
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| 6. | | |

Continued on an attachment. (You may use form DE-121(MA) to show additional persons served.)

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code section 54.8.)



SERVICE LIST

***In Re the Estate of Janet Elaine Leivan, a.k.a. Janet E. Leivan, Decedent
Riverside County Superior Court Case No. PRMC1802244***

1. Scott C. Tolstad
P.O. Box 897
Valley Center, CA 92082
Petitioner; nominated as administrator
with will annexed
2. Denell D. Dewater
1855 Baring Blvd., Apt. 2203
Sparks, NV 89434-6791
Daughter
3. Cheryl J. Green
2607 Gemline Avenue
Bakersfield, CA 93304-5414
Daughter
4. James Edward Leivan, Jr.
32694 Galleano Avenue
Winchester, CA 92596
Son; named beneficiary of Will dated
4/1/2012
5. Carrie Willoughby Pulido
P.O. Box 45
Weldon, CA 93283
Issue of deceased daughter Debra
Willoughby Wisner
6. Patricia Deanne Flanagan
126 Clyde Street
Bakersfield, CA 93307
Issue of deceased daughter Debra
Willoughby Wisner

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 - office
6 951-445-4108 - fax
7 jennifer@shouplegal.com

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG 13 2018

L. FULSAAS

MAI

AUG 14 2018

8 Attorney for SCOTT C. TOLSTAD, Petitioner

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF RIVERSIDE, TEMECULA COURTHOUSE

11 In the Matter of the Estate of

12 JANET ELAINE LEIVAN, a.k.a.
13 JANET E. LEIVAN,

14 Decedent.

Case No. **PRMC 1802244**

DECLARATION OF JAMES E. LEIVAN, JR. REGARDING CONSENT OF FILING OF PETITION FOR PROBATE; NOMINATION OF ADMINISTRATOR; WAIVER OF NOTICE OF HEARINGS

Date:
Time:
Dept:

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21 I, JAMES E. LEIVAN, JR., am an adult, a surviving child of the decedent, a person
22 entitled to appointment as administrator of the decedent's estate, and a devisee named in the
23 decedent's Will. (California Probate Code Section 6402(a).) SCOTT C. TOLSTAD, a
24 Professional Fiduciary, has filed herein a Petition for Probate of Will and for Letters of
25 Administration with Will Annexed (the "Petition") seeking authority to administer the
26 decedent's estate under the Independent Administration of Estates Act.

27 I do hereby CONSENT to the filing of the Petition filed in this case. I waive my right
28 to serve as personal representative and do hereby nominate SCOTT C. TOLSTAD as
29 administrator of the decedent's estate, pursuant to California Probate Code Section 8465.

DECLARATION OF JAMES E. LEIVAN, JR. REGARDING CONSENT OF FILING OF PETITION FOR PROBATE; NOMINATION OF ADMINISTRATOR; WAIVER OF NOTICE OF HEARINGS

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

3
4 Date: 5-31-18, 2018


JAMES E. LEIVAN, JR.

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

INDIO 46-200 Oasis St., Indio, CA 92201
 RIVERSIDE 4050 Main St., Riverside, CA 92501

TEMECULA 41002 County Center Dr., #100, Temecula, CA 92591

RI-PR069

| | |
|--|--|
| <p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number and Address) Jennifer E. Dean SBN 315583 Shoup Legal, A Professional Law Corporation 38605 Calistoga Drive, Suite 120 Murrieta, California 92563</p> <p>TELEPHONE NO.: 951-445-4114 FAX NO. (Optional): 951-445-4108 E-MAIL ADDRESS (Optional): jennifer@shouplegal.com ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner</p> | <p align="center"><small>FOR COURT USE ONLY</small></p> <p align="center">FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE</p> <p align="center">AUG 13 2018</p> <p align="center">LFULDAAS</p> <p align="center">CASE NUMBER: PR06 1802244</p> |
| <p>IN THE MATTER OF:</p> <p align="center">Janet Elaine Leivan, a.k.a. Janet E. Leivan</p> | <p>Hearing Date: _____ Time: _____ Department: _____</p> |
| <p>DECLARATION IN SUPPORT OF BOND WAIVER – LOCAL RULE 7203</p> | |

I/We, (name of petitioner(s)): Scott C. Tolstad

request bond be waived for my/our appointment as personal representative of the estate.

1. The decedent is expected to owe the following taxes:
- a. State income tax: \$ Unknown
 - b. Federal income tax: \$ Unknown
 - c. Real and personal property tax: \$ Unknown
- Total: \$ _____

2. The decedent's known and reasonably-ascertainable unsecured or contingent creditors are as follows:

| Name of Creditor | Address | Maximum Potential Liability |
|------------------|---------|-----------------------------|
| None known | | |
| | | |
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| | | |
| | | |
| Total: | | |

3. The estate is expected to be: solvent insolvent

IN THE MATTER OF:

Janet Elaine Leivan, a.k.a. Janet E. Leivan

CASE NUMBER

PRMC 1802244

4. The efforts taken to obtain the above information were as follows:

- Reviewed decedent's mail for _____ days
- Reviewed current utility bills
- Reviewed current property tax bills
- Reviewed bank statements for the last _____ months
- Reviewed most recent income tax returns
- Other: Decedent deceased for 6 or more years.

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

8/10/2019
(DATE)

Scott C. Tolstad

(TYPE OR PRINT NAME)

[Signature]
(SIGNATURE)

(TYPE OR PRINT NAME)

(SIGNATURE)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Temecula Courthouse
41002 County Center Drive, Temecula, CA 92591

Case Number: PRMC1802244



Case Name: Estate of: JANET ELAINE LEIVAN

NOTICE OF DEPARTMENT ASSIGNMENT

The above entitled case is assigned to Department T1, currently presided over by Judge Mark Cope for all purposes.

Any challenge to the assigned Judge pursuant to Section 170.6, subdivision (2) of the Code of Civil Procedure, shall be exercised pursuant to the requirements of that section.

Petitioner is hereby noticed at this time and is required to serve all other parties with this notice forthwith.

| | |
|---|---|
|  | Interpreter services are available upon request. If you need an interpreter, please complete and submit the online Interpreter Request Form (www.riverside.courts.ca.gov/interpreter/form_IN005) or contact the clerk's office and verbally request an interpreter. All requests must be made in advance with as much notice as possible, and prior to the hearing date in order to secure an interpreter. |
|  | Assistive listening systems, computer-assisted real time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the Office of the ADA Coordinator by calling (951) 777-3023 or TDD (951) 777-3769 between 8:00 am and 4:30 pm or by emailing ADA@riverside.courts.ca.gov to request an accommodation. A <i>Request for Accommodations by Persons With Disabilities and Order</i> (form MC-410) must be submitted when requesting an accommodation. (Civil Code section 54.8.) |

Dated: 08/13/2018

W. SAMUEL HAMRICK JR.,
Court Executive Officer/Clerk of Court

by: 

L. Fulsaa, Deputy Clerk

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Jennifer E. Dean SBN 315583 Shoup Legal, A Professional Law Corporation 38605 Calistoga Drive, Suite 120 Murrieta, California 92563 TELEPHONE NO.: 951-445-4114 FAX NO. (Optional): 951-445-4108 E-MAIL ADDRESS (Optional): jennifer@shouplegal.com ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner | FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE AUG 13 2018 <i>[Signature]</i> L. FULDAAS |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE <input type="checkbox"/> INDIO 46-200 Oasis St., Indio, CA 92201 <input type="checkbox"/> RIVERSIDE 4050 Main St., Riverside, CA 92501 <input checked="" type="checkbox"/> TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591 | CASE NUMBER: PRMC 1802244 |
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan DECEDENT | |
| DUTIES AND LIABILITIES OF PERSONAL REPRESENTATIVE and Acknowledgment of Receipt | |

DUTIES AND LIABILITIES OF PERSONAL REPRESENTATIVE

When the court appoints you as personal representative of an estate, you become an officer of the court and assume certain duties and obligations. An attorney is best qualified to advise you about these matters. You should understand the following:

1. MANAGING THE ESTATE'S ASSETS

a. Prudent investments

You must manage the estate assets with the care of a prudent person dealing with someone else's property. This means that you must be cautious and may not make any speculative investments.

b. Keep estate assets separate

You must keep the money and property in this estate separate from anyone else's, including your own. When you open a bank account for the estate, the account name must indicate that it is an estate account and not your personal account. Never deposit estate funds in your personal account or otherwise mix them with your or anyone else's property. Securities in the estate must also be held in a name that shows they are estate property and not your personal property.

c. Interest-bearing accounts and other investments

Except for checking accounts intended for ordinary administration expenses, estate accounts must earn interest. You may deposit estate funds in insured accounts in financial institutions, but you should consult with an attorney before making other kinds of investments.

d. Other restrictions

There are many other restrictions on your authority to deal with estate property. You should not spend any of the estate's money unless you have received permission from the court or have been advised to do so by an attorney. You may reimburse yourself for official court costs paid by you to the county clerk and for the premium on your bond. Without prior order of the court, you may not pay fees to yourself or to your attorney, if you have one. If you do not obtain the court's permission when it is required, you may be removed as personal representative or you may be required to reimburse the estate from your own personal funds, or both. You should consult with an attorney concerning the legal requirements affecting sales, leases, mortgages, and investments of estate property.

2. INVENTORY OF ESTATE PROPERTY

a. Locate the estate's property

You must attempt to locate and take possession of all the decedent's property to be administered in the estate.

b. Determine the value of the property

You must arrange to have a court-appointed referee determine the value of the property unless the appointment is waived by the court. You, rather than the referee, must determine the value of certain "cash items." An attorney can advise you about how to do this.

c. File an inventory and appraisal

Within four months after Letters are first issued to you as personal representative, you must file with the court an inventory and appraisal of all the assets in the estate.

| | |
|--|-------------------------------------|
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | CASE NUMBER: PRMC 1802244 |
|--|-------------------------------------|

DECEDENT

d. File a change of ownership

At the time you file the inventory and appraisal, you must also file a change of ownership statement with the county recorder or assessor in each county where the decedent owned real property at the time of death, as provided in section 480 of the California Revenue and Taxation Code.

3. NOTICE TO CREDITORS

You must mail a notice of administration to each known creditor of the decedent within four months after your appointment as personal representative. If the decedent received Medi-Cal assistance, you must notify the State Director of Health Services within 90 days after appointment.

4. INSURANCE

You should determine that there is appropriate and adequate insurance covering the assets and risks of the estate; maintain the insurance in force during the entire period of the administration.

5. RECORD KEEPING

a. Keep accounts

You must keep complete and accurate records of each financial transaction affecting the estate. You will have to prepare an account of all money and property you have received, what you have spent, and the date of each transaction. You must describe in detail what you have left after the payment of expenses.

b. Court review

Your account will be reviewed by the court. Save your receipts because the court may ask to review them. If you do not file your accounts as required, the court will order you to do so. You may be removed as personal representative if you fail to comply.

6. CONSULTING AN ATTORNEY

If you have an attorney, you should cooperate with the attorney at all times. You and your attorney are responsible for completing the estate administration as promptly as possible. When in doubt, contact your attorney.

NOTICE: 1. This statement of duties and liabilities is a summary and is not a complete statement of the law. Your conduct as a personal representative is governed by the law itself and not by this summary.
2. If you fail to perform your duties or to meet the deadlines, the court may reduce your compensation, remove you from office, and impose other sanctions.

ACKNOWLEDGMENT OF RECEIPT

- I have petitioned the court to be appointed as a personal representative.
- My address and telephone number are (specify):
P.O. Box 897, Valley Center, CA 92082
760-855-5969
- I acknowledge that I have received a copy of this statement of the duties and liabilities of the office of personal representative.

Date: 8/10/2018


Scott C. Tolstad

(TYPE OR PRINT NAME)


(SIGNATURE OF PETITIONER)

Date:

(TYPE OR PRINT NAME)


(SIGNATURE OF PETITIONER)

CONFIDENTIAL INFORMATION: If required to do so by local court rule, you must provide your date of birth and driver's license number on supplemental Form DE-147S. (Prob. Code, § 8404(b).)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

INDIO 46-200 Oasis St., Indio, CA 92201

TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591

RIVERSIDE 4050 Main St., Riverside, CA 92501

RI-PR071

| | |
|--|--|
| <p><small>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number and Address)</small> Jennifer E. Dean SBN 315583 Shoup Legal, A Professional Law Corporation 38605 Callstoga Drive, Suite 120 Murrieta, California 92563</p> <p>TELEPHONE NO.: 951-445-4114 FAX NO. (Optional): 951-445-4108 E-MAIL ADDRESS (Optional): jennifer@shouplegal.com ATTORNEY FOR (Name): Scott C. Tolstad, Petitioner</p> | <p align="center"><small>FOR COURT USE ONLY</small></p> <p align="center">FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE</p> <p align="center">AUG 13 2018</p> <p align="center"><i>[Signature]</i> K. FULSAAS</p> |
| <p>IN THE MATTER OF: Janet Elaine Leivan, a.k.a. Janet E. Leivan</p> | <p align="right">CASE NUMBER: PR01802244</p> |
| <p>Hearing Date: _____ Time: _____</p> | <p>Department: _____</p> |
| <p>CERTIFICATE OF ASSIGNMENT (PROBATE)</p> | |

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 AUG 14 2018
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The undersigned declares that the above-entitled matter is filed for proceedings in the following region of the Superior Court under California rules of the Court, rule 7001: Western Mid County Desert

- | <u>Nature of Action</u> | <u>Ground</u> |
|--|--|
| <p><input checked="" type="checkbox"/> 1. Decedent's Estate Administration (DE-111) (Probate Code § 7000-12591)</p> | <p>Either the decedent was (1) a resident of this region at time of death or (2) was not a resident of this state at time of death, died in this County, and left property in this region, or (3) was not a resident of this state at time of death, did not die in a County of this State where he/she left property, but left property in this region. Probate Code § 7051-7052.</p> |
| <p><input type="checkbox"/> 2. Petition to Determine Succession to Real Property (DE-310) (Probate Code § 13150-13158)</p> | <p>Either the resident was (1) a resident of this region at time of death or (2) was not a resident of this state at time of death, died in this County, and left property in this region, or (3) was not a resident of this state at time of death, did not die in a County of this State where he/she left property, but left property in this region. Probate Code § 7051-7052.</p> |
| <p><input type="checkbox"/> 3. Spousal or Domestic Partner Property Petition (DE-221) (Probate Code § 13650-13660)</p> | <p>Either the resident was (1) a resident of this region at time of death or (2) was not a resident of this state at time of death, died in this County, and left property in this region, or (3) was not a resident of this state at time of death, did not die in a County of this State where he/she left property, but left property in this region. Probate Code § 7051-7052.</p> |

IN THE MATTER OF:

CASE NUMBER:

Janet Elaine Leivan, a.k.a. Janet E. Leivan

PRMC 1902244

Nature of Action

Ground

- 4. **Conservatorship (GC-310)** (Probate Court § 1400-2955) Either the proposed conservatee (1) resides in the region, (2) is not a resident of this state and is temporarily living in the region, (3) is not a resident of this state and has property in the region, or (4) establishment of the proceeding in the region is in the best interests of the proposed conservatee. Probate Code § 2201-2202.
- 5. **Guardianship (GC-210(P) or GC-210)** (Probate Code § 1400-2955) Either the proposed minor (1) resides in the region, (2) is not a resident of this state and is temporarily living in the region, (3) is not a resident of this state and has property in the region, or (4) establishment of the proceeding in the region is in the best interests of the proposed minor. Probate Code § 2201-2202.
- 6. **Affidavit re: Real Property of Small Value (DE-305)** (Probate Code §13200-13210) Either (1) the decedent was a resident of this region at the time of death, or (2) the decedent was not a resident of this state at time of death but real property of the decedent is located in this region. Probate Code § 13200.
- 7. **Compromise by Parent of Minor's Disputed Claim (MC-350)** (Probate Code § 3500) Either (1) the minor presently resides in this region, or (2) suit on the claim or matter properly could be brought in this region. Probate Code § 3500.
- 8. **Other:**

THIS FILING WOULD NORMALLY FALL WITHIN JURISDICTION OF SUPERIOR COURT.

The address of the petitioner, decedent, conservatee, ward, place of incident or other factors that qualify this case for filing in the above-designated district is:

Janet Elaine Leivan

32694 Galleano Avenue

(NAME-INDICATE TITLE OR OTHER QUALIFYING FACTOR)

(ADDRESS)

Winchester

California

92596

(CITY)

(STATE)

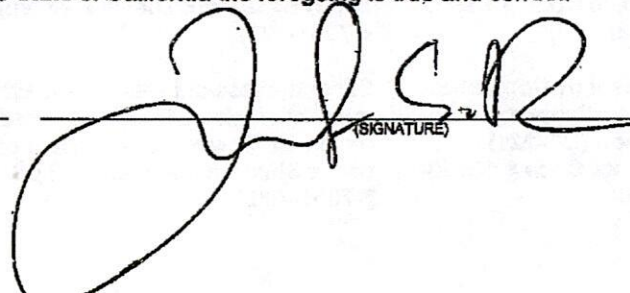
(ZIP CODE)

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

Date: 8/10/2018

Jennifer E. Dean

(TYPE OR PRINT NAME OF ATTORNEY PARTY)



(SIGNATURE)

FOR COURT USE ONLY

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG 13 2018

L. FULSAAS

MAI
AUG 14 2018
PM

ATTORNEY OR PARTY WITHOUT ATTORNEY:
Jennifer E. Dean SBN 315583
Shoup Legal, A Professional Law Corporation
38605 Calistoga Drive, Suite 120
Murrieta, California 92563
TELEPHONE NO.: 951-445-4114 FAX NO.: 951-445-4108
E-MAIL ADDRESS: jennifer@shouplegal.com
ATTORNEY FOR (name): Scott C. Tolstad, Petitioner

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE
 INDIO 46-200 Oasis St., Indio, CA 92201
 RIVERSIDE 4050 Main St., Riverside, CA 92501
 TEMECULA 41002 County Center Dr., Ste. 100, Temecula, CA 92591

ESTATE OF (name):
Janet Elaine Leivan, a.k.a. Janet E. Leivan DECEDENT

PETITION FOR Probate of Lost Will and for Letters Testamentary
 Probate of Lost Will and for Letters of Administration with Will Annexed
 Letters of Administration
 Letters of Special Administration with general powers
 Authorization to Administer Under the Independent Administration of Estates Act with limited authority

CASE NO. **PRMC 1802244**

HEARING DATE AND TIME:
9/28/18 8:30

DEPT.:
TI

- 1. Publication will be in (specify name of newspaper): The Press Enterprise
a. Publication requested.
b. Publication to be arranged.
2. Petitioner (name each): Scott Tolstad

requests that

- a. decedent's will and codicils, if any, be admitted to probate.
b. (name): Scott C. Tolstad be appointed
(1) executor
(2) administrator with will annexed
(3) administrator
(4) special administrator with general powers and Letters issue upon qualification.
c. full limited authority be granted to administer under the Independent Administration of Estates Act.
d. (1) bond not be required for the reasons stated in item 3e.
(2) \$ bond be fixed. The bond will be furnished by an admitted surety insurer or as otherwise provided by law. (Specify reasons in Attachment 2 if the amount is different from the maximum required by Prob. Code, § 8482.)
(3) \$ In deposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location):

- 3. a. Decedent died on (date): 05/23/2012 at (place): Winchester, CA (copy of death certificate attached)
(1) a resident of the county named above.
(2) 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. Decedent was a citizen of a country other than the United States (specify country):
c. Street address, city, and county of decedent's residence at time of death (specify):
32694 Galeano Avenue, Winchester, CA 92596

| | | |
|--|----------|-------------------------------------|
| ESTATE OF (name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | DECEDENT | CASE NUMBER PR01C 1802244 |
|--|----------|-------------------------------------|

3. d. Character and estimated value of the property of the estate (complete in all cases):

- (1) Personal property: \$ 339,000.00
- (2) Annual gross income from
- (a) real property: \$
- (b) personal property: \$
- (3) Subtotal (add (1) and (2)): \$ _____
- (4) Gross fair market value of real property: \$
- (5) (Less) Encumbrances: (\$ _____)
- (6) Net value of real property: \$ 339,000.00
- (7) Total (add (3) and (6)): \$ 339,000.00

- e. (1) Will waives bond. Special administrator is the named executor, and the will waives bond.
- (2) All beneficiaries are adults and have waived bond, and the will does not require a bond. (Affix waiver as Attachment 3e(2).)
- (3) All heirs at law are adults and have waived bond. (Affix waiver as Attachment 3e(3).)
- (4) Sole personal representative is a corporate fiduciary or an exempt government agency.

- f. (1) Decedent died intestate.
- (2) Copy of decedent's will dated: 4/1/2012 codicil dated (specify for each):

are affixed as Attachment 3f(2). (Include typed copies of handwritten documents and English translations of foreign-language documents.)

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

- (3) The original of the will and/or codicil identified above has been lost. (Affix a copy of the lost will or codicil or a written statement of the testamentary words or their substance in Attachment 3f(3), and state reasons in that attachment why the presumption in Prob. Code, § 6124 does not apply.)

g. Appointment of personal representative (check all applicable boxes):

- (1) Appointment of executor or administrator with will annexed:
- (a) Proposed executor is named as executor in the will and consents to act.
- (b) No executor is named in the will.
- (c) Proposed personal representative is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3g(1)(c).)
- (d) Other named executors will not act because of death declination other reasons (specify):

Continued in Attachment 3g(1)(d).

- (2) Appointment of administrator:
- (a) Petitioner is a person entitled to Letters. (If necessary, explain priority in Attachment 3g(2)(a).)
- (b) Petitioner is a nominee of a person entitled to Letters. (Affix nomination as Attachment 3g(2)(b).)
- (c) Petitioner is related to the decedent as (specify):
- (3) Appointment of special administrator requested. (Specify grounds and requested powers in Attachment 3g(3).)
- (4) Proposed personal representative would be a successor personal representative.

h. Proposed personal representative is a

- (1) resident of California.
- (2) nonresident of California (specify permanent address):

- (3) resident of the United States.
- (4) nonresident of the United States.

ESTATE OF (name):

Janet Elaine Leivan, a.k.a. Janet E. Leivan

DECEDENT

CASE NUMBER:

PRMC 1802244

4. Decedent's will does not preclude administration of this estate under the Independent Administration of Estates Act.
5. a. Decedent was survived by (check items (1) or (2), and (3) or (4), and (5) or (6), and (7) or (8))
- (1) spouse.
- (2) no spouse as follows:
- (a) divorced or never married.
- (b) spouse deceased.
- (3) registered domestic partner.
- (4) no registered domestic partner. (See Fam. Code, § 297.5(c); Prob. Code, §§ 37(b), 6401(c), and 6402.)
- (5) child as follows:
- (a) natural or adopted.
- (b) natural adopted by a third party.
- (6) no child.
- (7) issue of a predeceased child.
- (8) no issue of a predeceased child.
- b. Decedent was was not survived by a stepchild or foster child or children who would have been adopted by decedent but for a legal barrier. (See Prob. Code, § 6454.)
6. (Complete if decedent was survived by (1) a spouse or registered domestic partner but no issue (only a or b apply), or (2) no spouse, registered domestic partner, or issue. (Check the first box that applies):
- a. Decedent was survived by a parent or parents who are listed in item 8.
- b. Decedent was survived by issue of deceased parents, all of whom are listed in item 8.
- c. Decedent was survived by a grandparent or grandparents who are listed in item 8.
- d. Decedent was survived by issue of grandparents, all of whom are listed in item 8.
- e. Decedent was survived by issue of a predeceased spouse, all of whom are listed in item 8.
- f. Decedent was survived by next of kin, all of whom are listed in item 8.
- g. Decedent was survived by parents of a predeceased spouse or issue of those parents, if both are predeceased, all of whom are listed in item 8.
- h. Decedent was survived by no known next of kin.
7. (Complete only if no spouse or issue survived decedent.)
- a. Decedent had no predeceased spouse.
- b. Decedent had a predeceased spouse who
- (1) died not more than 15 years before decedent and who owned an interest in real property that passed to decedent,
- (2) died not more than five years before decedent and who owned personal property valued at \$10,000 or more that passed to decedent, (if you checked (1) or (2), check only the first box that applies):
- (a) Decedent was survived by issue of a predeceased spouse, all of whom are listed in item 8.
- (b) Decedent was survived by a parent or parents of the predeceased spouse who are listed in item 8.
- (c) Decedent was survived by issue of a parent of the predeceased spouse, all of whom are listed in item 8.
- (d) Decedent was survived by next of kin of the decedent, all of whom are listed in item 8.
- (e) Decedent was survived by next of kin of the predeceased spouse, all of whom are listed in item 8.
- (3) neither (1) nor (2) apply.
8. Listed on the next page are the names, relationships to decedent, ages, and addresses, so far as known to or reasonably ascertainable by petitioner, of (1) all persons mentioned in decedent's will or any codicil, whether living or deceased; (2) all persons named or checked in items 2, 5, 6, and 7; and (3) all beneficiaries of a trust named in decedent's will or any codicil in which the trustee and personal representative are the same person.

| | | |
|--|----------|-------------------------------------|
| ESTATE OF (name): Janet Elaine Leivan, a.k.a. Janet E. Leivan | DECEDENT | CASE NUMBER: PRMC 1802244 |
|--|----------|-------------------------------------|

B. Name and relationship to decedent, Age Address

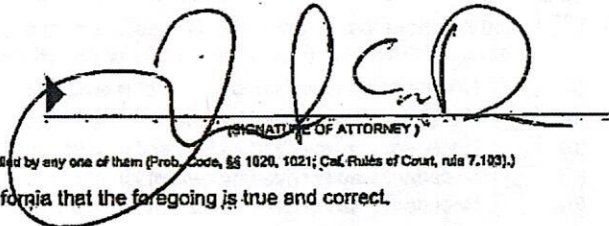
| | | | |
|-----|--|-------|---|
| (1) | Scott Tolstad, Petitioner; nominated as administrator with will annexed | Adult | P.O. Box 897 Valley Center, CA 92082 |
| (2) | Denell D. Dewater, daughter | Adult | 1855 Baring Blvd., Apt. 2203 Sparks, NV 89434-6791 |
| (3) | Cheryl J. Green, daughter | Adult | 2607 Gemline Avenue Bakersfield, CA 93304-5414 |
| (4) | Debra Willoughby Wisner, predeceased daughter | Adult | Deceased (DOD 6/9/1994) |
| (5) | James Edward Leivan, Jr., son; named beneficiary of Will dated 4/1/2012 | Adult | 32694 Galleano Avenue Winchester, CA 92596 |
| (6) | James Edward Leivan, Sr., predeceased spouse | Adult | Deceased (DOD 6/27/2011) |
| (7) | Gary Leivan, issue of deceased daughter Debra Willoughby Wisner | Adult | Unknown |
| (8) | Carrie Willoughby Pulido, issue of deceased daughter Debra Willoughby Wisner | Adult | 15190 Sage Lane Weldon, CA 93283 |
| (9) | Michael Willoughby, predeceased issue of deceased daughter Debra Willoughby Wisner | Adult | Deceased (DOD 2/2/1974) |

Continued on Attachment 8.

9. Number of pages attached: 5

Date: 8/10/2018

Jennifer E. Dean
(TYPE OR PRINT NAME OF ATTORNEY)


(SIGNATURE OF ATTORNEY)

*(Signatures of all petitioners are also required. All petitioners must sign, but the petition may be verified by any one of them (Prob. Code, §§ 1020, 1021; Cal. Rules of Court, rule 7.103).)

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

Date: 8/10/2018

Scott C. Tolstad
(TYPE OR PRINT NAME OF PETITIONER)


(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME OF PETITIONER)

(SIGNATURE OF PETITIONER)

Signatures of additional petitioners follow last attachment.

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

CERTIFICATE OF DEATH

3201233006600

| | | | |
|--|--|---|--|
| STATE FILE NUMBER | | LOCAL REGISTRATION NUMBER | |
| 1. NAME OF DECEDENT - FIRST (Given) | | 3. LAST (Family) | |
| JANET | | LEIVAN | |
| 2. MIDDLE | | 4. DATE OF BIRTH | |
| E | | 12/03/1935 | |
| 5. AGE Yrs | | 6. SEX | |
| 76 | | F | |
| 7. BIRTH STATE/COUNTRY | | 8. MARRIAGE STATUS | |
| CA | | WIDOWED | |
| 9. SOCIAL SECURITY NUMBER | | 10. DATE OF DEATH | |
| REDACTED | | 05/23/2012 | |
| 11. HOURS | | 12. HOUR | |
| 0107 | | 0107 | |
| 13. EDUCATION - Highest Level (Degrees) | | 14. WAS DECEDENT HISPANIC/LATINO/SPANISH? | |
| HS GRADUATE | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| 15. OCCUPATION - Type of work for most of life. DO NOT USE RETIRED | | 16. DECEDENT'S RACE - Up to 3 races may be listed (see instructions on back) | |
| HOMEMAKER | | <input checked="" type="checkbox"/> CAUCASIAN | |
| 17. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.) | | 18. YEARS IN OCCUPATION | |
| OWN HOME | | 60 | |
| 19. DECEDENT'S RESIDENCE (Street and number, or location) | | | |
| 32694 GALLEANO AVE | | | |
| 20. CITY | | 21. STATE/COUNTRY | |
| WINCHESTER | | CA | |
| 22. COUNTY | | 23. ZIP CODE | |
| RIVERSIDE | | 92596 | |
| 24. YEARS IN COUNTY | | 25. STATE/COUNTRY | |
| 25 | | CA | |
| 26. INFORMANT'S NAME RELATIONSHIP | | | |
| JAMES LEIVAN JR., SON | | | |
| 27. INFORMANT'S MAILING ADDRESS (Street and number, or post office address, city or town, state and zip) | | | |
| 32694 GALLEANO AVE, WINCHESTER, CA 92596 | | | |
| 28. NAME OF BURIAL OR CREMATION | | 29. MIDDLE | |
| UKN | | UKN | |
| 30. LAST (Birth Name) | | 31. BIRTH STATE | |
| CARTER | | UKN | |
| 32. NAME OF MOTHER (Maiden - First) | | 33. MIDDLE | |
| UKN | | UKN | |
| 34. LAST (Birth Name) | | 35. BIRTH STATE | |
| UKN | | IRE | |
| 36. DECEASED DATE | | 37. PLACE OF FINAL DISPOSITION | |
| 05/29/2012 | | RES. JAMES LEIVAN JR. 32694 GALLEANO AVE, WINCHESTER, CA 92596 | |
| 38. TYPE OF DISPOSITION | | 39. SIGNATURE OF EMBALEMER | |
| CRRES | | NOT EMBALMED | |
| 40. NAME OF FUNERAL ESTABLISHMENT / LOCAL REGISTRAR | | 41. LICENSE NUMBER | |
| ENGLAND FAMILY MORTUARY, INC. | | FD 1934 | |
| 42. SIGNATURE OF LOCAL REGISTRAR | | 43. DATE | |
| CAMERON KAISER, MD | | 05/29/2012 | |
| 44. PLACE OF DEATH | | 45. IF HOSPITAL, SPECIFY ONE | |
| RESIDENCE | | <input type="checkbox"/> P <input type="checkbox"/> ERCP <input type="checkbox"/> DCA <input type="checkbox"/> Hospice <input type="checkbox"/> Nursing Home/UTC <input checked="" type="checkbox"/> Decedent's Home <input type="checkbox"/> Other | |
| 46. COUNTY | | 47. CITY | |
| RIVERSIDE | | WINCHESTER | |
| 48. COUNTY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location) | | 49. CITY | |
| 32694 GALLEANO AVE | | WINCHESTER | |
| 50. CAUSE OF DEATH | | 51. PERFORMED TO CORPSE | |
| IMMEDIATE CAUSE - Final disease or condition resulting in death | | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |
| CHRONIC OBSTRUCTIVE PULMONARY DISEASE | | YRS: 2012-04486 | |
| 52. UNDERLYING CAUSE - Underlying cause of death, if any, leading to cause of death. Enter UNDESIGNATED CAUSE if reason or condition related to the events resulting in death LAST | | 53. EXCISE PERFORMED? | |
| | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| | | 54. AUTOPSY PERFORMED? | |
| | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| | | 55. (USE IN DETERMINING CAUSE) | |
| | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| 56. OTHER IMPORTANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 50 | | 57. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 50 OR 51? (If yes, list type of operation and date) | |
| NONE | | NO | |
| 58. IF PEOPLE PRESENT AT DEATH | | 59. IF PEOPLE PRESENT AT DEATH | |
| <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK | |
| 60. SIGNATURE AND TITLE OF CERTIFIER | | 61. LICENSE NUMBER | |
| JEAN-CLAUDE HAGE M.D. | | G77306 | |
| 62. TYPE AT RIGOR PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE | | 63. DATE | |
| JEAN-CLAUDE HAGE M.D. 399 E. HIGHLAND AVE, STE 222, SAN BERNARDINO, CA 92404 | | 05/24/2012 | |
| 64. SIGNATURE AND TITLE OF CORONER / DEPUTY CORONER | | 65. DATE | |
| | | | |
| 66. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | | 67. DATE | |
| | | | |

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside, Department of Health.



DATE ISSUED **Jun 14, 2012**

Cameron Kaiser
Dr. Cameron Kaiser, M.D., Health Officer
RIVERSIDE COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.



I hereby declare that this is my last will and testament and that I hereby revoke, cancel and annul all wills and codicils previously made by me either jointly or severally. I declare that I am of legal age to make this will and of sound mind and that this last will and testament expresses my wishes without undue influence or duress.

I bequeath the whole of my estate, property and effects, whether movable or immovable, wheresoever situated and of whatsoever nature to my son James Edward Leivan Jr.

Signed on this 1st. day of April 2012

SIGNED: Janet Leivan

Witness Name: GILBERT T. VIDAL
Signature: Gilbert T. Vidal

| | | |
|--|-----------------------|--------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: Jennifer E. Dean FIRM NAME: Shoup Legal, A Professional Law Corporation STREET ADDRESS: 38605 Calistoga Drive, Suite 120 CITY: Murrieta STATE: CA ZIP CODE: 92563 TELEPHONE NO.: 951-445-4114 FAX NO.: 951-445-4108 E-MAIL ADDRESS: jennifer@shouplegal.com ATTORNEY FOR (name): Scott C. Tolstad, Petitioner | STATE BAR NO.: 315583 | FOR COURT USE ONLY |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE STREET ADDRESS: 41002 County Center Drive, Suite 100 MAILING ADDRESS: 41002 County Center Drive, Suite 100 CITY AND ZIP CODE: Temecula, CA 92591 BRANCH NAME: Temecula Courthouse | | |
| ESTATE OF (Name): Janet Elaine Leivan, a.k.a. Janet E. Leivan , DECEDENT | | |
| WAIVER OF BOND BY HEIR OR BENEFICIARY <input type="checkbox"/> Attachment 3e to <i>Petition for Probate</i> * | | CASE NUMBER: |

NOTICE: READ PARAGRAPHS A-G BEFORE YOU SIGN

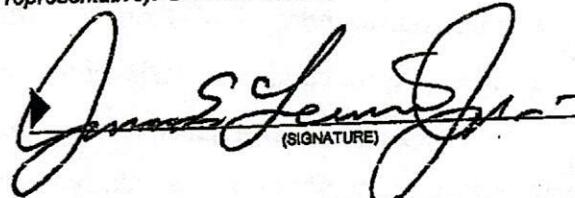
- A. A bond is a form of insurance to replace assets that may be mismanaged or stolen by the executor or administrator (the estate's personal representative). The cost of the bond is paid from the assets of the estate.
- B. A bond may not be required if the decedent's will admitted to probate waives a bond and the court approves.
- C. If the decedent's will does not waive bond, or if the decedent died without a will, the law ordinarily requires the personal representative to give a bond approved and ordered by the court. However, all persons eligible to receive a share of the estate may waive the requirement of a bond. If they all waive bond and the court approves, the personal representative will NOT have to give a bond.
- D. If bond is not ordered by the court, and the estate suffers loss because the personal representative fails to properly perform the duties of the office, the loss or some part of it may not be recoverable from the personal representative. If so, your share of the estate may be partly or entirely lost.
- E. You may waive the requirement of a bond by signing this form and delivering it to the petitioner for appointment of a personal representative or to the petitioner's attorney. Your waiver cannot be withdrawn after the court appoints the personal representative without requiring a bond. However, if you sign a waiver of bond, you may later petition the court to require a bond.
- F. A guardian ad litem or other legal representative with specific authority under law to waive bond must sign for a minor, an incapacitated person, an unascertained beneficiary, or a designated class of persons who are not ascertained or not yet in being. See Judicial Council forms DE-350 and DE-351 and Probate Code section 1003.
- G. If you do not understand this form, do not sign it until you have asked a lawyer (who is independent of the lawyer for the proposed personal representative) to explain it to you.

WAIVER

- I have read and understand paragraphs A through G above.
- I understand that before signing this form, I am free to consult with a lawyer of my choice concerning the possible consequences to me of waiving bond.
- I understand that I do not have to waive bond to allow the estate administration to begin or proceed, or to receive my share of the estate.
- I WAIVE the posting of bond in this estate by (name of personal representative): **Scott C. Tolstad**

Date: **5/31/2018**

James E. Leivan, Jr.
 (TYPE OR PRINT NAME OF BENEFICIARY (AND AUTHORIZED SIGNER, IF BENEFICIARY IS NOT AN INDIVIDUAL))


 (SIGNATURE)

(This form may be filed as an independent form (as form DE-142) OR as Attachment 3e(2) (will) or Attachment 3e(3) (intestacy) to the Petition for Probate (form DE-111) (as form DE-111(A-3e).)

1 JENNIFER E. DEAN (SBN 315583)
2 SHOUP LEGAL, A PROF. LAW CORP.
3 38605 Calistoga Drive Suite 120
4 Murrieta, CA 92563
5 951-445-4114 - office
6 951-445-4108 - fax
7 jennifer@shouplegal.com

8 Attorney for SCOTT C. TOLSTAD, Petitioner

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF RIVERSIDE, TEMECULA COURTHOUSE

11 In the Matter of the Estate of

12 JANET ELAINE LEIVAN, a.k.a.
13 JANET E. LEIVAN,

14 Decedent.

Case No.

**DECLARATION OF JAMES E.
LEIVAN, JR. REGARDING
CONSENT OF FILING OF
PETITION FOR PROBATE;
NOMINATION OF
ADMINISTRATOR; WAIVER
OF NOTICE OF HEARINGS**

15 Date:
16 Time:
17 Dept:

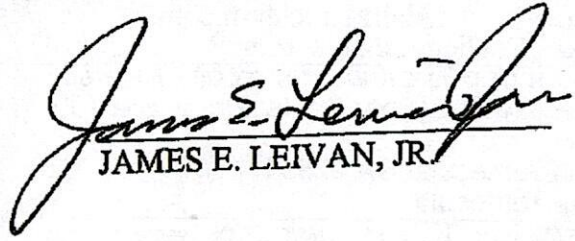
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20
21 I, JAMES E. LEIVAN, JR., am an adult, a surviving child of the decedent, a person
22 entitled to appointment as administrator of the decedent's estate, and a devisee named in the
23 decedent's Will. (California Probate Code Section 6402(a).) SCOTT C. TOLSTAD, a
24 Professional Fiduciary, has filed herein a Petition for Probate of Will and for Letters of
25 Administration with Will Annexed (the "Petition") seeking authority to administer the
26 decedent's estate under the Independent Administration of Estates Act.

27 I do hereby CONSENT to the filing of the Petition filed in this case. I waive my right
28 to serve as personal representative and do hereby nominate SCOTT C. TOLSTAD as
29 administrator of the decedent's estate, pursuant to California Probate Code Section 8465.

**DECLARATION OF JAMES E. LEIVAN, JR. REGARDING CONSENT OF FILING OF PETITION FOR
PROBATE; NOMINATION OF ADMINISTRATOR; WAIVER OF NOTICE OF HEARINGS**

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

3
4 Date: 5-31-18, 2018


JAMES E. LEIVAN, JR.

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|--|-----------------------|-----------------------------|----------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar No., and address): | | FOR COURT USE ONLY | |
| James D. Struck The Struck Firm 1120 13th Street, Ste K Modesto, CA 95354 | | 94544 | |
| TELEPHONE NO.: | (209) 574-1440 | FAX NO. (Optional): | (209) 574-1444 |
| E-MAIL ADDRESS (Optional): | jim@thestruckfirm.com | | |
| ATTORNEY FOR (Name): | Petitioners/Objectors | | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF Riverside | | | |
| STREET ADDRESS: 41002 County Center Drive, Ste 100 | | | |
| MAILING ADDRESS: | | | |
| CITY AND ZIP CODE: Temecula, CA 92591 | | | |
| BRANCH NAME: Temecula | | | |
| <input checked="" type="checkbox"/> ESTATE OF (Name): <input type="checkbox"/> IN THE MATTER OF (Name): | | | |
| JANET ELAINE LEIVAN | | | |
| <input checked="" type="checkbox"/> DECEDENT <input type="checkbox"/> TRUST <input type="checkbox"/> OTHER | | | |
| NOTICE OF HEARING - DECEDENT'S ESTATE OR TRUST | | CASE NUMBER: PRMC1802244 | |

This notice is required by law.
This notice does not require you to appear in court, but you may attend the hearing if you wish.

1. NOTICE is given that (name): **CHERYL GREEN and DENELL DEWATER**

(representative capacity, if any): **Petitioners**

has filed (specify):*

PETITION FOR REVOCATION OF PROBATE OF PURPORTED WILL
[Prob. Code §8270]

2. You may refer to the filed documents for more information. (Some documents filed with the court are confidential.)

3. A HEARING on the matter will be held as follows:

a. Date: **JUL 09 2019** Time: **8:30 AM** Dept.: **T1** Room:

b. Address of court shown above is (specify):

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for Request for Accommodations by Persons With Disabilities and Order (form MC-410). (Civil Code section 54.8.)



*Do not use this form to give notice of a petition to administer estate (see Prob. Code, § 8100 and form DE-121) or notice of a hearing in a guardianship or conservatorship (see Prob. Code, §§ 1511 and 1822 and form GC-020).

1 James D. Struck, Esq., State Bar No. 94544
2 **THE STRUCK FIRM**
3 1120 13th Street, Suite K
4 Modesto, CA 95354
5 Telephone: (209) 574-1440
6 Facsimile: (209) 574-1444
7 jim@thestruckfirm.com
8 Attorneys for Petitioners

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

MAY 20 2019

K. HANSEN

9 **RIVERSIDE COUNTY SUPERIOR COURT**

10 **Temecula Branch**

11 In re the Estate of

12 JANET ELAINE LEIVAN aka JANET E.
13 LEIVAN,

Decedent.

14 CHERYL GREEN and DENELL
15 DEWATER,

Petitioners,

16 -vs-

17 SCOTT C. TOLSTADT, Administer of
18 Estate with Will Annexed, JAMES
19 EDWARD LEIVAN, CARRIE
20 WILLOUGHBY PULIDO, JAMES
21 NOEL FLANAGAN and PATRICIA
22 DEANN FLANAGAN,

Respondents.

CASE NO: PRMC 1802244

PETITION FOR REVOCATION OF
PROBATE OF PURPORTED WILL
[Prob. Code §8270]

Date: JUL 09 2019

Time: 8:30 am

Dept: TI

23 PETITIONERS CHERYL GREEN and DENELL DEWATER allege as follows:

24 1. On or about May 23, 2012, JANET ELAINE LEIVAN aka JANET E. LEIVAN ("Decedent"),
25 died in the County of Riverside, State of California.

26 2. At the time of death, Decedent was a resident of the County of Riverside, State of California,
27 and left property in Riverside County, California.

28 3. On September 28, 2018, the Court made an order admitting to probate a document dated April
1, 2012 (the "Document"), purporting to be the last will of decedent, and appointing Respondent

PETITION FOR REVOCATION OF PROBATE, etc.

CASE NO. PRMC 1802244

1 Scott C. Tolstadt as Administrator with the Will Annexed. Respondent qualified and is now
2 acting as such representative.

3 4. The September 28, 2018 order admitting the document to probate was obtained by extrinsic
4 fraud within the meaning of Probate Code §8007(b)(1) in that neither of the Petitioners received
5 notice of the petition for the issuance of letters. The declarations of the Petitioners submitted
6 contemporaneously with this Petition demonstrate that the addresses to which notice was mailed
7 were not their true and correct address, thus the deadline for the filing of this Petition has been
8 tolled.

9 5. Petitioners are informed and believe and thereon allege that all times pertinent to these
10 proceedings, Respondent JAMES NOEL FLANAGAN was and is not mentally competent, that
11 no guardian was appointed for the purpose of protecting his interests in these proceedings, and
12 that this is further grounds for tolling any deadline for the filing of this Petition.

13 6. The Document was not contested before probate.

14 7. Petitioners, and each of them, are a person interested in the devolution of the estate of
15 Decedent, in that each is the natural children of the Decedent, and but for the wrongful admission
16 of the Document, each would receive a share of Decedent's Estate

17 8. Probate of the Document should be revoked on the following grounds:

18 a. First Ground: At the time of the alleged execution of the Document, Decedent was not
19 of sound and disposing mind.

20 b. Second Ground: The Document was not executed by Decedent in the manner and form
21 required by law for the execution of a will.

22 c. Third Ground: The Document was made as a direct result of undue influence exercised
23 by Respondent JAMES EDWARD LEIVAN, JR. over Decedent and is not, and never
24 was, the will of Decedent.

25 d. Fourth Ground: The signature on the Document is not the signature of the Decedent.

26 9. The heirs of Decedent, so far as known to petitioner, are:

27 Denell D. De Water, daughter Adult 1048 W. Rosamond Blvd. D-5
28 Rosamond, CA

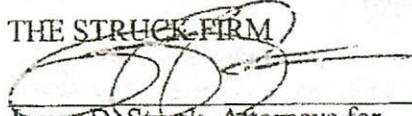
| | | | |
|----|--|-------|--|
| 1 | Cheryl J. Green, daughter | Adult | 1123 Lomita Drive Bakersfield, CA |
| 2 | Debra Willoughby Wisner, predeceased daughter | Adult | Deceased (DOD 6/9/1994) |
| 3 | | | |
| 4 | James Edward Leivan, Jr. Son; beneficiary of Will dated April 1, 2012 | Adult | 32694 Galleano Avenue a Winchester, CA 92596 |
| 5 | | | |
| 6 | James Edward Leivan, Sr. predeceased spouse | Adult | Deceased (DOD 6/27/2011) |
| 7 | | | |
| 8 | Gary Lee Flanagan issue of deceased daughter Debra Willoughby Wisner | Adult | Deceased (DOD 10/24/2012) |
| 9 | | | |
| 10 | Carrie Willoughby Pulido, issue of deceased daughter Debra Willoughby Wisner | Adult | P.O. Box 145 Weldon, CA 93283 |
| 11 | | | |
| 12 | Michael Willoughby, predeceased issue of deceased daughter Debra Willoughby Wisner | Adult | Deceased (DOD 2/21/1974) |
| 13 | | | |
| 14 | Patricia Deanne Flanagan, issue of deceased daughter Debra Willoughby Wisner | Adult | 326 G. Street Bakersfield, CA 93304 |
| 15 | | | |
| 16 | James Noel Flanagan, issue of deceased daughter Debra Willoughby Wisner | Adult | California Medical Facility CDCR No. V36539 P.O. Box 2000 Vacaville, CA 95696 |
| 17 | | | |
| 18 | | | |

19 10. The person named as sole devisee in the Document is:

| | | | |
|----|-------------------------------|-------|---|
| 20 | James Edward Leivan, Jr. Son; | Adult | 32694 Galleano Avenue a Winchester, CA 92596 |
| 21 | | | |

22 WHEREFORE, Petitioners pray after due notice and hearing that probate of the above-
 23 described purported will be revoked, for costs of suit, and for such other orders as the court may
 24 deem proper.

25 Dated: May 15, 2019

26 
 27 James D. Struck, Attorneys for
 28 Petitioners

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF STANISLAUS

I have read the foregoing PETITION FOR REVOCATION OF PROBATE OF PURPORTED WILL [Prob. Code §8270]

and know its contents.

CHECK APPLICABLE PARAGRAPHS

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am an Officer a partner a of

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.

I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for Petitioners Cheryl Green and Denell Dewater a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on 5/15/2019

at Modesto

California.

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

JAMES D. STRUCK

TYPE OR PRINT NAME

SIGNATURE

PROOF OF SERVICE

1013a (3) CCP Revised 2004

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of

State of California.

I am over the age of 18 and not a party to the within action; my business address is:

On

I served the foregoing document described as

on in this action

by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list: by placing the original a true copy thereof enclosed in sealed envelopes addressed as follows:

BY MAIL

I deposited such envelope in the mail at California.

The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at California in the ordinary course of business. I am aware that on motion of the

party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on at California.

(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on at California.

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

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

TYPE OR PRINT NAME

SIGNATURE

(BY MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

247353

WHEN RECORDED MAIL TO:

James E. Leivan
Janet E. Leivan
35109 Highway 79, Unit Sp. 94
Waxner Springs, CA 92086-9711

RECORD NUMBER: 3291
ORDER NUMBER: 1767990

MAIL TAX STATEMENTS TO:

same as above

RECEIVED FOR RECORD

AT 9:30 AM AUG 2 1987
AT REQUEST OF
FIRST AMERICAN TITLE COMPANY
OF RIVERSIDE CA

AUG 2 6 1987

Recorded in Official Records
of Riverside County, California

William E. Conery
RECORDED
Fee \$ 2

PAID
Doc Transfer Tax
WILLIAM E. CONERY
Title Co. Recorder

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX \$ 40.70

Computed on the consideration or value of property conveyed; OR
 Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

undersigned grantor declares
Signature of Declarant or Agent determining tax - Firm Name

GRANT DEED

914-380-016

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
THE CHESTER M. MASON FAMILY TRUST, UNDER DOCUMENT DATED AUGUST 23, 1985

hereby GRANT(S) to

JAMES E. LEIVAN AND JANET E. LEIVAN, husband and wife as Joint Tenants

the real property in the ~~CITY~~ unincorporated area, State of California, described as
County of Riverside,
Lot 5 of Tract No. 8400, as per map recorded in Book 122, Pages 60 and 61, Inclusive,
of Maps of Record, in the office of the County Recorder of said County.

1767990-1

Dated July 22, 1987

Chester M. Mason
Chester M. Mason, Trustee

STATE OF CALIFORNIA
COUNTY OF Riverside
On July 30, 1987

before me, the undersigned, a Notary Public in and for said State, personally appeared Chester M. Mason, Trustee

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature *Frank A. Sellaro*



(This area for official notarial seal)

STATE OF CALIFORNIA
CERTIFICATE OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

3052011193972

CERTIFICATE OF DEATH

3201133011244

| | | | | | |
|--|--|---|--|--|--|
| STATE FILE NUMBER | | CERTIFICATE OF DEATH | | LOCAL REGISTRATION NUMBER | |
| 1. NAME OF DECEDENT- FIRST (Given) JAMES | | 2. MIDDLE EDWARD | | 3. LAST (Family) LEIVAN | |
| AKA, ALSO KNOWN AS - Includes full AKA (FIRST, MIDDLE, LAST) | | 4. DATE OF BIRTH mm/dd/yyyy 12/30/1932 | | 5. AGE Yrs. 78 | |
| 6. BIRTH STATE/FOREIGN COUNTRY ARIZONA | | 11. EVER IN U.S. ARMED FORCES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK | | 12. MARITAL STATUS/PROSP (at Time of Death) MARRIED | |
| 7. DATE OF DEATH mm/dd/yyyy 08/27/2011 | | 8. HOUR (24 Hour) 1318 | | 9. SEX M | |
| 13. EDUCATION - Highest Level/Class (see worksheet on back) HS GRADUATE | | 14. WEDDING LICENSE/EXEMPTED WEDDING (if yes, see worksheet on back) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | 16. DECEDENT'S RACE - Up to 3 races may be listed (see worksheet on back) WHITE | |
| 17. USUAL OCCUPATION - Type of work for most of life. DO NOT USE RETIRED | | 15. KIND OF BUSINESS OR INDUSTRY (e.g., place; store, road construction, employe, etc.) MACHINE SHOP | | 18. YEARS IN OCCUPATION 21 | |
| 25. DECEDENT'S RESIDENCE (Street and number, or location) 32694 GALLEANO AVENUE | | | | | |
| 21. CITY WINCHESTER | | 22. COUNTY RIVERSIDE | | 24. STATE/FOREIGN COUNTRY CA | |
| 26. INFORMANT'S NAME, RELATIONSHIP JANET LEIVAN, WIFE | | | | | |
| 27. INFORMANT'S MAILING ADDRESS (Street and number, or road route number, city, county, state, zip code) 32694 GALLEANO AVENUE, WINCHESTER, CA 92596 | | | | | |
| 28. NAME OF BIRTH MOTHER (Last, First) JANET | | 29. MIDDLE ELIANE | | 31. LAST BIRTH NAME CARTER | |
| 31. NAME OF FATHER (Last, First) LESTER | | 32. MIDDLE LEIVAN | | 34. BIRTH STATE MO | |
| 33. NAME OF MOTHER (Last, First) EVELYN | | 35. MIDDLE WHITE | | 36. BIRTH STATE ENGLAND | |
| 38. DEPOSITION DATE mm/dd/yyyy 11/02/2011 | | 39. APOLO PINAL DISPOSITION FILE NO. JANET LEIVAN 32694 GALLEANO AVENUE, WINCHESTER, CA 92596 | | | |
| 41. TYPE OF DISPOSITION(S) CR/RES | | 42. SIGNATURE OF REGISTRAR | | 43. LICENSE NUMBER | |
| 44. NAME OF FUNERAL ESTABLISHMENT ENGLAND FAMILY MORTUARY, INC. | | 45. LICENSE NUMBER FD 1934 | | 47. DATE mm/dd/yyyy 10/31/2011 | |
| 101. PLACE OF DEATH RANCHO SPRINGS MEDICAL CENTER | | | | | |
| 104. COUNTY RIVERSIDE | | 105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location) 25500 MEDICAL CENTER DRIVE | | 109. CITY MURRIETA | |
| 107. CAUSE OF DEATH Enter the chain of events - diseases, injuries, or complications - that directly caused death. DO NOT enter local events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE | | | | | |
| IMMEDIATE CAUSE (Final disease or condition resulting in death) HYPERTENSIVE AND ARTERIOSCLEROTIC CARDIOVASCULAR DISEASE | | 108. DEATH REPORTED TO CORONER (Clear and Dark) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | | 109. YRS 2011-05492 | |
| 108. UNDERLYING CAUSE (Disease or injury that initiated the events resulting in death) (I, II, III) CHRONIC OBSTRUCTIVE PULMONARY DISEASE | | 109. BPOBY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | 110. AUTOPSY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| 110. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107 CHRONIC OBSTRUCTIVE PULMONARY DISEASE | | 111. USED IN DETERMINING CAUSE? <input type="checkbox"/> YES <input type="checkbox"/> NO | | 112. USED IN DETERMINING CAUSE? <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| 113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 110? (If yes, list type of operation and date) NO | | | | | |
| 114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED. Decedent Attended Since <input type="checkbox"/> Decedent Lived Separately <input type="checkbox"/> | | | | | |
| 116. SIGNATURE AND TITLE OF CORONER | | 117. LICENSE NUMBER | | 118. DATE mm/dd/yyyy | |
| 119. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED. MANNER OF DEATH <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Accidental <input type="checkbox"/> Homicide <input type="checkbox"/> Suicide <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Could not be determined | | | | | |
| 120. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.) | | 121. INJURED AT WORK? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK | | 122. INJURY DATE mm/dd/yyyy | |
| 123. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury) | | | | | |
| 124. LOCATION OF INJURY (Street and number, or location, and city, and state) | | | | | |
| 125. SIGNATURE OF CORONER / DEPUTY CORONER | | 126. DATE mm/dd/yyyy 07/11/2011 | | 127. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER WENDY SPYKSTRA, DEPUTY CORONER | |

INFORMATIONAL
NOT A VALID DOCUMENT
TO ESTABLISH IDENTITY

CARVERSON



CERTIFIED COPY OF VITAL RECORD
 STATE OF CALIFORNIA, COUNTY OF RIVERSIDE



This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside, Assessor-County Clerk-Recorder.

Peter Aldana
 PETER ALDANA
 ASSESSOR-COUNTY CLERK-RECORDER
 RIVERSIDE COUNTY, CALIFORNIA

DATE ISSUED **MAY 09 2010**

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the Assessor-County Clerk-Recorder.

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

3052012097201

CERTIFICATE OF DEATH

3201233005600

STATE FILE NUMBER: 3052012097201 LOCAL REGISTRATION NUMBER: 3201233005600

1. NAME OF DECEDENT - FIRST (Given): JANET
 2. MIDDLE: E.
 3. LAST (Family): LEIVAN

4. DATE OF BIRTH: 12/03/1935
 5. AGE Yrs: 76
 6. SEX: F

7. DATE OF DEATH: 05/23/2012
 8. HOUR (24 Hour): 0107

9. BIRTH STATE/FOREIGN COUNTRY: CA
 10. SOCIAL SECURITY NUMBER: [REDACTED]
 11. EVER IN U.S. ARMED FORCES: NO
 12. MARITAL STATUS (at Time of Death): WIDOWED

13. EDUCATION - Highest Level Degree: HS GRADUATE
 14. YES RECEIVED TRAINING/ATTENDANCE (if yes, see footnote on back): NO
 15. DECEASED'S RACE: CAUCASIAN

17. USUAL OCCUPATION: HOMEMAKER
 18. KIND OF BUSINESS OR INDUSTRY: OWN HOME
 19. YEARS IN OCCUPATION: 60

20. DECEDENT'S RESIDENCE: 32694 GALLEANO AVE
 21. CITY: WINCHESTER
 22. COUNTY: RIVERSIDE
 23. ZIP CODE: 92598
 24. YEARS IN COUNTY: 25
 25. STATE/FOREIGN COUNTRY: CA

26. INFORMANT'S NAME: JAMES LEIVAN JR., SON
 27. NAME OF SURVIVOR (if decedent's first): [REDACTED]
 28. MIDDLE: [REDACTED]
 29. LAST (Family Name): [REDACTED]

31. NAME OF FATHER: UKN
 32. MIDDLE: [REDACTED]
 33. LAST: CARTER
 34. BIRTH STATE: UKN
 35. NAME OF MOTHER: UKN
 36. MIDDLE: [REDACTED]
 37. LAST: [REDACTED]
 38. BIRTH STATE: IRE.

39. DATE OF DEATH: 05/29/2012
 40. PLACE OF FINAL DISPOSITION: RES. JAMES LEIVAN JR. 32694 GALLEANO AVE, WINCHESTER, CA 92598
 41. TYPE OF DISPOSITION: CR/RES
 42. SIGNATURE OF LOCAL REGISTRAR: [REDACTED]
 43. LICENSE NUMBER: -
 44. NAME OF FUNERAL ESTABLISHMENT: ENGLAND FAMILY MORTUARY, INC.
 45. LICENSE NUMBER: FD 1934
 46. SIGNATURE OF LOCAL REGISTRAR: [REDACTED]
 47. DATE: 05/29/2012

101. PLACE OF DEATH: RESIDENCE
 102. IF HOSPITAL, SPECIFY ONE: [] IF [] EVCPT [] DCA
 103. IF OTHER THAN HOSPITAL, SPECIFY ONE: [] Hospice [] Nursing Home/LTC [] Decedent's Home [] Other

104. COUNTY: RIVERSIDE
 105. FACILITY ADDRESS OR LOCATION WHERE FOUND: 32694 GALLEANO AVE
 106. CITY: WINCHESTER

107. CAUSE OF DEATH: CHRONIC OBSTRUCTIVE PULMONARY DISEASE
 108. DEATH REPORTED TO CORONER (YES/NO): YES
 109. YRS: 2012-04485
 110. ECOPSY PERFORMED: YES
 111. AUTOPSY PERFORMED: YES
 112. URBAN IN DEATH (YES/NO): YES

113. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH: NONE
 114. WAS OPERATION PERFORMED FOR ANY CONDITION: NO
 115. IF FEMALE, PREGNANT IN LAST YEAR: NO

116. CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED.
 117. SIGNATURE AND TITLE OF CERTIFIER: JEAN-CLAUDE HAGE M.D.
 118. LICENSE NUMBER: 677308
 119. DATE: 05/24/2012

120. MANNER OF DEATH: Natural
 121. INJURED AT WORK: NO
 122. INJURY DATE: []
 123. HOUR (24 Hour): []

124. PLACE OF INJURY: []
 125. DESCRIBE HOW INJURY OCCURRED: []
 126. LOCATION OF INJURY: []

127. DATE: []
 128. TYPE NAME, TITLE OF CORONER/DPUTY CORONER: []

STATE REGISTRAR: A B C D E
 FAX AUTH: []
 CENSUS TRACT: []

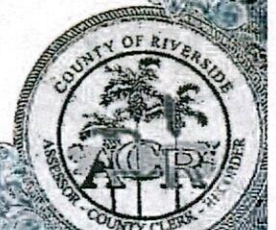
CERTIFIED COPY OF VITAL RECORD
 STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside, Assessor-County Clerk-Recorder.

DATE ISSUED: JUN 06 2018



Peter Aldana
 PETER ALDANA
 ASSESSOR-COUNTY CLERK-RECORDER
 RIVERSIDE COUNTY, CALIFORNIA



This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the Assessor-County Clerk-Recorder.

STATE OF CALIFORNIA

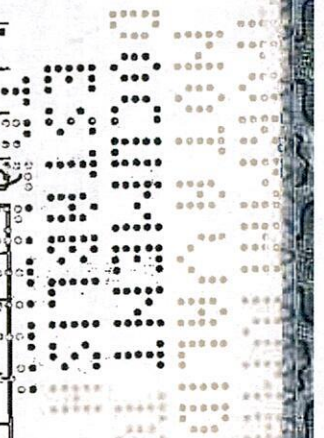
CERTIFICATE OF VITAL RECORD

94-081365

BOOK 262 PAGE 0365
3 1994 15 1952

CERTIFICATE OF DEATH

| | | | | | |
|---|--|---|--|---|--|
| STATE FILE NUMBER | | STATE OF CALIFORNIA <small>USE BLACK INK ONLY/NO BRASS/PEN, WHITEOUTS OR ALTERATIONS VS-11 (REV. 7/93)</small> | | LOCAL REGISTRATION NUMBER | |
| 1. NAME OF DECEDENT—FIRST (GIVEN) | | 2. MIDDLE | | 3. LAST (FAMILY) | |
| Debra | | Dee | | Wisner | |
| 4. DATE OF BIRTH MM/DD/CCYY | | 5. AGE YRS. | | 6. SEX | |
| 03/08/1953 | | 41 | | F | |
| 7. DATE OF DEATH MM/DD/CCYY | | 8. HOUR | | 9. SEX | |
| 06/09/1994 | | 1000 | | F | |
| 10. STATE OF BIRTH | | 11. MILITARY SERVICE | | 12. MARITAL STATUS | |
| CA | | NONE | | Divorced | |
| 13. EDUCATION—YEARS COMPLETED | | 14. RACE | | 15. USUAL EMPLOYER | |
| 11 | | Caucasian | | Self Employed | |
| 16. OCCUPATION | | 17. KIND OF DWELLING | | 18. YEARS IN OCCUPATION | |
| Homemaker | | Own Home | | 22 | |
| 19. USUAL RESIDENCE—STREET AND NUMBER OR LOCATION | | | | | |
| 5101 Hunter Avenue, #2 | | | | | |
| 20. CITY | | 21. COUNTY | | 22. ZIP CODE | |
| Bakersfield | | Kern | | 93309 | |
| 23. YES IN COUNTY | | 24. STATE OR FOREIGN COUNTRY | | 25. NAME, RELATIONSHIP | |
| 2 | | CA | | Carrie Lyn Pulido - Daughter | |
| 26. MAILING ADDRESS (STREET AND NUMBER OR RURAL ROUTE NUMBER, CITY OR TOWN, STATE, ZIP) | | | | | |
| 5101 Hunter Avenue, #2, Bakersfield, CA 93309 | | | | | |
| 27. NAME OF SURVIVING SPOUSE—FIRST | | 28. MIDDLE | | 29. LAST (MAIDEN NAME) | |
| - | | - | | - | |
| 30. NAME OF FATHER—FIRST | | 31. MIDDLE | | 32. LAST | |
| James | | - | | Leivan | |
| 33. NAME OF MOTHER—FIRST | | 34. MIDDLE | | 35. LAST (MAIDEN) | |
| Janet | | - | | Carter | |
| 36. DATE MM/DD/CCYY | | 37. PLACE OF FINAL DISPOSITION | | | |
| 06/28/1994 | | Greenlawn Southwest Cemetery, 2739 Panama Lane, Bakersfield, CA | | | |
| 38. TYPE OF DISPOSITION | | 39. SIGNATURE OF CHIEF CLERK | | 40. LICENSE NO. | |
| CR/BU | | [Signature] | | 06/27/1994 | |
| 41. NAME OF FUNERAL DIRECTOR | | 42. LICENSE NO. | | 43. DATE MM/DD/CCYY | |
| Kern County Coroner | | N/A | | 06/27/1994 | |
| 44. PLACE OF DEATH | | 45. IF HOSPITAL, SPECIFY UNIT | | 46. COUNTY | |
| Residence | | IP <input type="checkbox"/> ER/OP <input type="checkbox"/> DOA <input type="checkbox"/> | | Kern | |
| 47. STREET ADDRESS—STREET AND NUMBER OR LOCATION | | 48. CONV. HOSP. <input checked="" type="checkbox"/> RES. <input type="checkbox"/> OTHER <input type="checkbox"/> | | 108. CITY | |
| 5101 Hunter Avenue, #2, | | | | Bakersfield | |
| 49. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR A, B, C, AND D) | | 109. TIME INTERVAL BETWEEN ONSET AND DEATH | | 110. DEATH REPORTED TO CORONER | |
| (A) Metastatic Breast Disease Stage IV | | 2 yrs. | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| 111. IMMEDIATE CAUSE | | 112. DEATH REPORTED TO CORONER | | 113. REFERRAL NUMBER | |
| DUE TO (B) | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | |
| DUE TO (C) | | 114. BIOPSY PERFORMED | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| DUE TO (D) | | 115. AUTOPSY PERFORMED | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| | | 116. USUALLY DETERMINING CAUSE | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |
| 117. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH: BUT NOT RELATED TO CAUSE GIVEN IN 107 | | | | | |
| Pathological Left Hip Fracture | | | | | |
| 118. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 117? IF YES, LIST TYPE OF OPERATION AND DATE. | | | | | |
| None | | | | | |
| 119. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED. | | 120. SIGNATURE AND TITLE OF CORONER | | 121. LICENSE NO. | |
| DECEDENT ATTENDED SINCE DECEASED LAST SEEN ALIVE MM/DD/CCYY | | [Signature] | | C53033 | |
| 05/22/1994 06/01/1994 | | 122. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS + ZIP | | 123. DATE MM/DD/CCYY | |
| | | William Gilli, M.D., 1830 Flower Street, Bakersfield, CA 93305 | | 06/23/1994 | |
| 124. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED. | | 125. INJURY AT WORK | | 126. INJURY DATE MM/DD/CCYY | |
| | | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | |
| 127. MANNER OF DEATH | | 128. DESCRIBE HOW INJURY OCCURRED (EVENTS WHICH RESULTED IN INJURY) | | 129. HOUR | |
| <input type="checkbox"/> NATURAL <input type="checkbox"/> SUICIDE <input type="checkbox"/> HOMICIDE | | | | | |
| <input type="checkbox"/> ACCIDENT <input type="checkbox"/> PENDING INVESTIGATION <input type="checkbox"/> COULD NOT BE DETERMINED | | | | | |
| 130. LOCATION (STREET AND NUMBER OR LOCATION AND CITY AND ZIP CODE) | | | | | |
| | | | | | |
| 131. SIGNATURE OF CORONER OR DEPUTY CORONER | | 132. DATE MM/DD/CCYY | | 133. TYPED NAME, TITLE OF CORONER OR DEPUTY CORONER | |
| [Signature] | | | | | |
| STATE REGISTRAR | | FAX AUTH. # | | CENSUS TRACT | |
| 8 X 2 | | 3271170 | | BK-28 | |



CAKERN--02



CERTIFIED COPY OF VITAL RECORD
STATE OF CALIFORNIA, COUNTY OF KERN

This is a true and exact reproduction of the document officially registered and placed on file with the Kern County Recorder.

JUL 0 6 2018

DATE ISSUED



000990983

[Signature]
JON LIFQUIST
ASSESSOR RECORDER

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STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

104- 803235564

CERTIFICATE OF LIVE BIRTH
STATE OF CALIFORNIA

1500 5291
LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER

| | | | | | |
|---|---|---|---|---|--|
| STATE BIRTH CERTIFICATE NUMBER | | 1500 | | 5291 | |
| 1A. NAME OF CHILD—FIRST, Patricia | | 1B. MIDDLE Deann | | 1C. LAST Flanagan | |
| THIS CHILD | 2. SEX Female | 3A. THIS BIRTH, SINGLE, TWIN, ETC. Single | 3B. IF MULTIPLE, THIS CHILD 1ST, 2ND, ETC. - | 4A. DATE OF BIRTH—MONTH, DAY, YEAR August 7, 1980 | 4B. HOUR (24 HOUR CLOCK TIME) 0913 |
| | 5A. PLACE OF BIRTH—NAME OF HOSPITAL Kern Medical Center | | | 5B. STREET ADDRESS (STREET, NUMBER, OR LOCATION) 1830 Flower Street | |
| PLACE OF BIRTH | 5C. CITY OR TOWN Bakersfield | | | 5D. COUNTY Kern | |
| FATHER OF CHILD | 6A. NAME OF FATHER—FIRST Gary | 6B. MIDDLE Lee | 6C. LAST Flanagan | | 7. STATE OF BIRTH Unknown |
| MOTHER OF CHILD | 9A. BIRTH NAME OF MOTHER—FIRST Debra | 9B. MIDDLE Dee | 9C. LAST Leivan | | 10. STATE OF BIRTH California |
| PARENT'S CERTIFICATION | 11. I CERTIFY THAT I HAVE REVIEWED THE STATISTICAL INFORMATION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | | 12. RELATIONSHIP TO CHILD Mother | | 12C. DATE SIGNED August 8, 1980 |
| | 13. PHYSICIAN OR OTHER ATTENDANT—SIGNATURE, LICENSE NUMBER, TITLE [Redacted] | | 13B. LICENSE NUMBER Resident | | 13C. DATE SIGNED August 7, 1980 |
| ATTENDANT'S CERTIFICATION | 14. REQUEST OMISSION FROM SOLICITATION LISTS | | 13D. TYPED NAME AND ADDRESS Frank Ynostroze, M. D., Bakersfield, California | | |
| LOCAL REGISTRAR | 15. DEATH—ENTER DATE OF DEATH | | 16. LOCAL REGISTRAR—SIGNATURE [Redacted] | | 17. DATE ACCEPTED FOR REGISTRATION SEP 19 1980 |

472 PAGE 486
BOOK

CERTIFIED COPY OF VITAL RECORD
STATE OF CALIFORNIA, COUNTY OF KERN

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FEB 06 2019

DATE ISSUED _____

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001013422

[Signature]
JON LIFQUIST
ASSESSOR RECORDER



CAKERN--02

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

0190-012358

104-78-035519

CERTIFICATE OF LIVE BIRTH
STATE OF CALIFORNIA

LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER

| | | | | | | |
|--|---|--|--|--|---|------------------------------------|
| THIS CHILD | 1A. NAME OF CHILD—FIRST JAMES | | 1B. MIDDLE NOEL | | 1C. LAST FLANAGAN | |
| | 2. SEX MALE | 3A. THIS BIRTH, SINGLE, TWIN SINGLE | 3B. IF MULTIPLE, THIS CHILD 1ST, 2ND, ETC. | 4. BIRTHWEIGHT 3289 | 5A. DATE OF BIRTH—MONTH, DAY, YEAR FEBRUARY 11, 1978 | 5B. HOUR 2009 |
| PLACE OF BIRTH | 6A. PLACE OF BIRTH—NAME OF HOSPITAL: DOCTORS HOSPITAL OF LAKEWOOD | | | 6B. STREET ADDRESS (STREET, NUMBER, OR LOCATION) 3700 EAST SOUTH STREET | | |
| | 6C. CITY OR TOWN LAKEWOOD | | | 6D. COUNTY LOS ANGELES | | |
| MOTHER OF CHILD | 7A. BIRTH NAME OF MOTHER—FIRST DEBRA | 7B. MIDDLE DEE | 7C. LAST LEIVAN | | 8. STATE OF BIRTH CALIFORNIA | 9. AGE OF MOTHER 24 |
| FATHER OF CHILD | 10A. NAME OF FATHER—FIRST GARY | | 10B. MIDDLE LEE | 10C. LAST FLANAGAN | | 11. STATE OF BIRTH SOUTH DAKOTA |
| PARENT'S CERTIFICATION | 11. STATE OF BIRTH SOUTH DAKOTA | | 12. AGE OF FATHER 25 | | 13. DATE REVIEWED AND SIGNED 2-17-78 | |
| | 1. I CERTIFY THAT I HAVE REVIEWED THE STAT- ED INFORMATION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | | 12A. PARENT OR OTHER INFORMANT—SIGNATURE <i>Mother</i> | | 13. RELATIONSHIP TO CHILD Mother | |
| ATTEND- ANT'S CERTIFICA- TION | 1. I CERTIFY THAT I ATTENDED THIS BIRTH AND THAT THE CHILD WAS BORN ALIVE AT THE HOUR, DATE AND PLACE STATED. | | 14A. PHYSICIAN (OR NURSE) WHO ATTENDED THIS BIRTH—NAME OF TITLE AND TYPED NAME KEVIN S. MORROW, MD. | | 14B. DATE SIGNED 2/17/78 | |
| | REQUEST OMISSION FROM SOLICITATION LISTS | | 14C. ADDRESS 3650 EAST SOUTH STREET, LAKEWOOD, CA | | 14D. ATTENDANT'S LICENSE NUMBER C-11332 | |
| LOCAL REGISTRAR | 15. DEATH—ENTER DATE OF DEATH | | 16. LOCAL REGISTRAR—SIGNATURE <i>[Signature]</i> | | 17. DATE ACCEPTED FOR REGISTRATION MAR 7 1978 | |

UNINFORMATIONAL,
NOT A VALID DOCUMENT
TO ESTABLISH IDENTITY

CALOSANGDE

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Dean C Logan
DEAN C. LOGAN
Registrar-Recorder/County Clerk

MAY 23 2019



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STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

STATE FILE NUMBER

61-374732

CERTIFICATE OF LIVE BIRTH

STATE OF CALIFORNIA-DEPARTMENT OF PUBLIC HEALTH

LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER

7055 067566

| | | | | | | |
|---|--|--|--|--|--|------------------------------|
| THIS CHILD | 1a. NAME OF CHILD—FIRST NAME Denell | | 1b. MIDDLE NAME Darla | | 1c. LAST NAME Leivan | |
| | 2. SEX Female | 3a. THIS BIRTH—SINGLE, TWIN OR TRIPLET? Single | 3b. IF TWIN OR TRIPLET, THIS CHILD BORN 1ST, 2ND, 3RD? | | 4a. DATE OF BIRTH—MONTH, DAY, YEAR December 14, 1961 | 4b. HOUR 8:20 A.M. |
| PLACE OF BIRTH | 5a. PLACE OF BIRTH—NAME OF HOSPITAL St. Francis Hospital | | | | 5b. STREET ADDRESS (GIVE STREET OR RURAL ADDRESS OR LOCATION. DO NOT USE P. O. BOX NUMBERS) 3630 Imperial Highway | |
| | 5c. CITY OR TOWN Lynwood | | | | 5d. COUNTY Los Angeles | |
| MOTHER OF CHILD | 6a. MAIDEN NAME OF MOTHER Janet | | 6b. MOTHER'S NAME Blaine | | 7. COLOR OR RACE OF MOTHER White | |
| | 8. AGE OF MOTHER AT TIME OF BIRTH 26 YEARS | | 9. BIRTHPLACE (CITY AND COUNTY) California | | 10. MAILING ADDRESS OF MOTHER—USE EITHER FOR USUAL RESIDENCE—FOR NOTIFICATION OF BIRTH | |
| USUAL RESIDENCE OF MOTHER (WHERE DOES MOTHER LIVE?) | 11a. USUAL RESIDENCE OF MOTHER—STREET ADDRESS (GIVE STREET OR RURAL ADDRESS OR LOCATION) 7132 De Palma St. | | | | 11b. IF INSIDE CORPORATE LIMITS, CHECK HERE <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> STATE | |
| | 11c. CITY OR TOWN Douby | | | | 11d. COUNTY Los Angeles | |
| FATHER OF CHILD | 12a. NAME OF FATHER—FIRST NAME James | | 12b. MIDDLE NAME Edward | | 12c. LAST NAME Leivan | |
| | 14. AGE OF FATHER AT TIME OF BIRTH 28 YEARS | | 15. BIRTHPLACE (CITY AND COUNTY) Los Angeles | | 16a. PRESENT OR LAST OCCUPATION Foreman | |
| INFORMANT'S CERTIFICATION | 16. I HAVE REVIEWED THE ABOVE STATED INFORMATION AND HEREBY CERTIFY THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | | | | 17a. DATE SIGNED BY INFORMANT December 15, 1961 | |
| ATTENDANT'S CERTIFICATION | 18. I HEREBY CERTIFY THAT I ATTENDED THIS BIRTH AND THAT THE CHILD WAS BORN ALIVE AT THE HOUR, DATE AND PLACE STATED ABOVE. | | | | 18a. ADDRESS South feb | |
| REGISTRAR'S CERTIFICATION | 19. DATE ON WHICH NAME ADDED BY SUPPLEMENTAL NAME REPORT | | | | 21. DATE RECEIVED BY LOCAL REGISTRAR JAN 5 1962 | |

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DEAN C. LOGAN
Registrar-Recorder/County Clerk

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JUN 05 2018



100002436027

CALOSANGOR





CLARK COUNTY, NEVADA
CERTIFIED ABSTRACT OF MARRIAGE

PARTY 1: DEWATER, BRUCE ALAN

PARTY 2: LEIVAN, DENELL DARLA

DATE OF MARRIAGE: October 17, 1987

RECORDED: October 28, 1987

INSTRUMENT: 198710280094557

BOOK: 19871028 **PAGE:** 94557

APPLICATION:

ISSUE DATE: 05/25/2018

ISSUE BY: Clark County Clerk

Lynn Marie Goy
COUNTY CLERK

771416
CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY OF
THE DOCUMENT OR DATA ON FILE
MINUS ANY REDACTED PORTIONS

May 25 2018

Lynn Marie Goy
CLERK

Patent #5,636,874

C2052816

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ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

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STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

FILED FEB 15 1952 MAME B. BEATTY, COUNTY RECORDER

159

| | | | | | | | |
|--|---|--|--|-----------------------------------|--|-----------------|-----------------------------------|
| REGISTRATION DISTRICT NO. | 1923 | REGISTRAR'S NUMBER | 3462 | CERTIFICATE OF LIVE BIRTH | | STATE FILE NO. | 159 |
| THIS CHILD (TYPE OR PRINT NAME) | 1a CHILD'S FIRST NAME | 1b MIDDLE NAME | | 1c LAST NAME | | | |
| | 2 SEX | 3a THIS BIRTH SINGLE TWIN OR TRIPLET | 3b IF TWIN OR TRIPLET THIS CHILD BORN 1st 2nd 3rd | 4a DATE OF BIRTH—MONTH, DAY, YEAR | | 4b HOUR | |
| PLACE OF BIRTH | 5a PLACE OF BIRTH—CITY OR TOWN (IF OUTSIDE CORPORATE LIMITS WRITE RURAL AND NAME OF NEAREST TOWN) | | 5b COUNTY | | | | |
| | 5c FULL NAME AND ADDRESS OF HOSPITAL OR INSTITUTION—(IF NOT IN HOSPITAL OR INSTITUTION GIVE STREET ADDRESS OR LOCATION) | | | | | | |
| USUAL RESIDENCE OF MOTHER (WHERE DOES MOTHER LIVE?) | 6a RESIDENCE OF MOTHER—STREET ADDRESS (IF RURAL GIVE LOCATION) | | | 6b COUNTY | | | |
| | 6c CITY OR TOWN (IF OUTSIDE CORPORATE LIMITS WRITE RURAL AND NAME OF NEAREST TOWN) | | | 6d STATE | | | |
| MOTHER OF CHILD | 7a MAIDEN NAME OF MOTHER—FIRST NAME | 7b MIDDLE NAME | 7c LAST NAME | | 8 COLOR OR RACE OF MOTHER | | |
| | 9 AGE OF MOTHER (AT TIME OF THIS BIRTH) YEARS | 10 BIRTHPLACE (STATE OR FOREIGN COUNTRY) | 11 MAILING ADDRESS OF MOTHER (IF DIFFERENT FROM USUAL RESIDENCE) | | | | |
| FATHER OF CHILD | 12a NAME OF FATHER—FIRST NAME | 12b MIDDLE NAME | 12c LAST NAME | | 13 COLOR OR RACE OF FATHER | | |
| | 14 AGE OF FATHER (AT TIME OF THIS BIRTH) YEARS | 15 BIRTHPLACE (STATE OR FOREIGN COUNTRY) | 16a USUAL OCCUPATION | | 16b KIND OF BUSINESS OR INDUSTRY | | |
| INFORMANT'S CERTIFICATION | 17a SIGNATURE OF PARENT OR OTHER INFORMANT | | | | <input checked="" type="checkbox"/> PARENT <input type="checkbox"/> OTHER SPECIFY | 17b DATE SIGNED | |
| | 18a SIGNATURE OF ATTENDANT | | | | DEGREE OR TITLE | 18b ADDRESS | |
| ATTENDANT'S CERTIFICATION | 19. DATE RECEIVED BY LOCAL REGISTRAR | | | | 20 SIGNATURE OF LOCAL REGISTRAR | | 21 DATE ON WHICH GIVEN NAME ADDED |

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Dean C. Logan
 DEAN C. LOGAN
 Registrar-Recorder/County Clerk

JUN 26 2018



1000002457150

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CALOSANGDOE



COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK

74- 693

74- 693

CONFIDENTIAL
RECORD OF CHURCH MARRIAGE
TO BE FILED WITH THE COUNTY CLERK
PURSUANT TO 4213 CIVIL CODE

COUNTY CLERK'S NUMBER

| | | | |
|---|--|--|--|
| PERSONAL DATA OF HUSBAND | 1a. NAME OF HUSBAND—FIRST NAME DONALD | 1b. MIDDLE NAME EUGENE | 1c. LAST NAME GREEN, JR. |
| | 2. DATE OF BIRTH—MONTH, DAY, YEAR 9-19-53 | 3. AGE (LAST BIRTHDAY) 20 YEARS | 4. BIRTHPLACE (STATE OR FOREIGN COUNTRY) L.A. COUNTY |
| | 5a. RESIDENCE OF HUSBAND—STREET ADDRESS (STREET AND NUMBER, RAIL, RIVER, OR LOCATION) 4545 LIVE OAK STREET | 5b. CITY OR TOWN CUDAHY | 5c. COUNTY (IF OUTSIDE CALIFORNIA, ENTER STATE) LOS ANGELES |
| | 6a. PRESENT OR LAST OCCUPATION RACKER | 6b. KIND OF INDUSTRY OR BUSINESS CHEMICAL ETCHING CO. | 7. HIGHEST SCHOOL GRADE COMPLETED 9th |
| | 8a. NAME OF FATHER OF HUSBAND DONALD EUGENE GREEN | 8b. BIRTHPLACE OF FATHER (STATE OR FOREIGN COUNTRY) U.S.A. ✓ | 8c. MAIDEN NAME OF MOTHER OF HUSBAND LUELLA ELMA WALSH |
| | | 8d. BIRTHPLACE OF MOTHER (STATE OR FOREIGN COUNTRY) CALIF. | |
| PERSONAL DATA OF WIFE | 10a. NAME OF WIFE—FIRST NAME CHERYL | 10b. MIDDLE NAME JEAN | 10c. LAST NAME LEIVAN |
| | 11. DATE OF BIRTH—MONTH, DAY, YEAR 12-12-51 | 12. AGE (LAST BIRTHDAY) 22 YEARS | 13. BIRTHPLACE (STATE OR FOREIGN COUNTRY) LYNWOOD, CALIF. |
| | 14a. RESIDENCE OF WIFE—STREET ADDRESS (STREET AND NUMBER, RAIL, RIVER, OR LOCATION) 4545 LIVE OAK STREET | 14b. CITY OR TOWN CUDAHY | 14c. COUNTY (IF OUTSIDE CALIFORNIA, ENTER STATE) LOS ANGELES |
| | 15a. PRESENT OR LAST OCCUPATION SECRETARY | 15b. KIND OF INDUSTRY OR BUSINESS OFFICE | 16. HIGHEST SCHOOL GRADE COMPLETED 12 |
| | 17a. NAME OF FATHER OF WIFE JAMES E. LEIVAN | 17b. BIRTHPLACE OF FATHER (STATE OR FOREIGN COUNTRY) USA ✓ | 17c. MAIDEN NAME OF MOTHER OF WIFE JANET ELAINE CARTER |
| | | 17d. BIRTHPLACE OF MOTHER (STATE OR FOREIGN COUNTRY) CALIF. | |
| AFFIDAVIT OF HUSBAND AND WIFE | 18. THE HUSBAND AND WIFE NAMED IN THIS CERTIFICATE, EACH FOR HIMSELF, STATE THAT THE FOREGOING INFORMATION IS CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, AND THAT NO LEGAL OBJECTION TO THE MARRIAGE IS KNOWN TO US. | | |
| CERTIFICATION OF PERSON PERFORMING CEREMONY | 20a. SIGNATURE OF HUSBAND <i>Donald E. Green Jr.</i> | 20b. SIGNATURE OF WIFE <i>Cheryl Leivan</i> | |
| | 21. I HEREBY CERTIFY THAT THE ABOVE NAMED MAN AND WOMAN WERE JOINED BY ME OR BY ANOTHER PERSON ACCORDING TO THE LAWS OF THE STATE OF CALIFORNIA. | | 22a. SIGNATURE OF PERSON PERFORMING CEREMONY AND OFFICIAL TITLE <i>Rev. H. B. ...</i> |
| | 21a. DATE March 23rd 1974 | 21b. CITY OR TOWN Huntington Park CALIFORNIA | 21c. COUNTY (IF OUTSIDE CALIFORNIA, ENTER STATE) Los Angeles |
| | 21d. ADDRESS—STREET ADDRESS, CITY OR TOWN, AND STATE 3917 A Broadway, Huntington Park Calif | | 22c. SIGNATURE OF PERSON PERFORMING CEREMONY <i>Rev. H. B. ...</i> |
| COUNTY CLERK | 23. DATE ACCEPTED FOR FILING MAR 26 1974 | 24. COUNTY CLERK—SIGNATURE CLARENCE F. CABELL | |

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC HEALTH—BUREAU OF VITAL RECORDS

CALOSANGRE

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Dean C. Logan
DEAN C. LOGAN
Registrar-Recorder/County Clerk

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SEP 10 2018



1000002594172




AFFIDAVIT

I, Patricia Deann Flanagan as heir to the Estate of Janet E Leivan, do hereby declare:

1. I am over the age of 18 and a resident of Bakersfield, CA. The facts set forth herein are true of my own personal knowledge. If called to testify as a witness in a judicial proceeding, I could, and would, testify truthfully and competently thereto.
2. I am a biological grandchild to James E. Leivan and Janet E. Leivan who are one and the same people listed on the Grant Deed as Document Number: 247355, Recorded on August 26, 1987 in Riverside County, CA.
3. James E. Leivan passed away on June 27, 2011 in Riverside county, CA. He is one and the same person noted on his death certificate as James Edward Leivan as Local Registration Number: 3201133011244.
4. Janet E. Leivan passed away on May 23, 2012 in Riverside County, CA. She is one and the same person noted on her death certificate as Local Registration Number: 3201233005600.
5. James E. Leivan and Janet E. Leivan had one predeceased daughter; Debra Dee Wisner. Debra passed away on June 9, 1994 in Kern County, CA. I am a biological daughter to Debra Dee Wisner County, CA.
6. I cannot provide any Original or Copies of Tax Bills, Title Insurance Policies, Utility Bills or any other supporting documentation to reference the 35109 HIGHWAY 79, UNIT SP. 94 WARNER SPRINGS CA 92086-9711 address; which is one and the same address that is listed as a mailing address on the above referenced Grant Deed. I have never lived at this address, nor have I ever received mail at this address.
7. I cannot provide any original or copies of Tax Bills, Title Insurance Policies, Utility Bills or any other supporting documentation to reference the 32694 GALLEANO AVE WINCHESTER CA 92596-9795 address; which is one and the same address that Riverside County recognizes as the tax mailing address. The only documentation I can provide to reference this address is the death certificates for my Grandmother Janet E. Leivan and Grandfather James Edward Leivan.
8. I assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 964020016-2.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 5 day of April, 2019, in Bakersfield, CA.

x 
Patricia Deann Flanagan as heir to the Estate of Janet E Leivan

See Attached Jurat

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Kern

Subscribed and sworn to (or affirmed) before me on this

5 day of APRIL, 2019, by
Date Month Year
Patricia Jean Flanagan
Name of Signer

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Signature [Handwritten Signature]
Signature of Notary Public

(Place Notary Seal Above)

AFFIDAVIT

I, James Noel Flanagan as heir to the Estate of Janet E Leivan, do hereby declare:

1. I am over the age of 18 and a resident of Vacaville, CA. The facts set forth herein are true of my own personal knowledge. If called to testify as a witness in a judicial proceeding, I could, and would, testify truthfully and competently thereto.
2. I am a biological grandchild to James E. Leivan and Janet E. Leivan who were one and the same people listed on the Grant Deed as Document Number: 247355, Recorded on August 26, 1987 in Riverside County, CA.
3. I, James Noel Flanagan am one and the same person as James N. Flanagan and James Flanagan.
4. I assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 964020016-2.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 6 day of June, 2019 in Vacaville California.

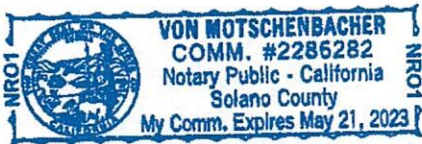
x *James Noel Flanagan*
James Noel Flanagan as heir to the Estate of Janet E Leivan

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA
County of SOLANO

Subscribed and sworn to (or affirmed) before me on this



6th day of JUNE, 2019, by
Date Month Year
JAMES NOEL FLANAGAN
Name of Signer

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature *[Signature]*
Signature of Notary Public

(Place Notary Seal Above)

AFFIDAVIT

I, Denell DeWater as heir to the Estate of Janet E Leivan, do hereby declare:

1. I am over the age of 18 and a resident of Rosamond, CA. The facts set forth herein are true of my own personal knowledge. If called to testify as a witness in a judicial proceeding, I could, and would, testify truthfully and competently thereto.
2. I am a biological issue to James E. Leivan and Janet E. Leivan who are one and the same people listed on the Grant Deed as Document Number: 247355, Recorded on August 26, 1987 in Riverside County, CA.
3. My Father James E. Leivan passed away on June 27, 2011 in Riverside County, CA. He is one and the same person noted on his death certificate as James Edward Leivan as Local Registration Number: 3201133011244.
4. My Mother Janet E. Leivan passed away on May 23, 2012 in Riverside County, CA She is one and the same person noted on her death certificate as Local Registration Number: 3201233005600.
5. I Denell DeWater am one and the same person as Denell D. DeWater and Denell Darla DeWater.
6. I cannot provide any Original or Copies of Tax Bills, Title Insurance Policies, Utility Bills or any other supporting documentation to reference the 35109 HIGHWAY 79, UNIT SP. 94 WARNER SPRINGS CA 92086-9711 address; which is one and the same address that is noted on the above referenced Grant Deed.
7. I cannot provide any original or copies of Tax Bills, Title Insurance Policies, Utility Bills or any other supporting documentation to reference the 32694 GALLEANO AVE WINCHESTER CA 92596-9795 address; which is one and the same address that Riverside County recognizes as the tax mailing address. The only documentation I can provide to reference this address is the death certificates for my Mother Janet E. Leivan and Father James Edward Leivan.
8. I assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 964020016-2.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23 day of May, 2011, in Rosamond California

x Denell DeWater
Denell DeWater as heir to the Estate of Janet E Leivan

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kern

Subscribed and sworn to (or affirmed) before me on this
23 day of May, 2011, by
Date Month Year
Denell DeWater
Name of Signer



proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Jodi Gandolfo
Signature of Notary Public

(Place Notary Seal Above)
GD Number: 35262-221542

AFFIDAVIT

I, Cheryl Green as heir to the Estate of Janet E Leivan, do hereby declare:

1. I am over the age of 18 and a resident of Bakersfield, CA. The facts set forth herein are true of my own personal knowledge. If called to testify as a witness in a judicial proceeding, I could, and would, testify truthfully and competently thereto.
2. I am a biological issue to James E. Leivan and Janet E. Leivan who are one and the same people listed on the Grant Deed as Document Number: 247355, Recorded on August 26, 1987 in Riverside County, CA.
3. My Father James E. Leivan passed away on June 27, 2011 in Riverside County, CA. He is one and the same person noted on his death certificate as James Edward Leivan as Local Registration Number: 3201133011244.
4. My Mother Janet E. Leivan passed away on May 23, 2012 in Riverside County, CA She is one and the same person noted on her death certificate as Local Registration Number: 3201233005600.
5. I, Cheryl Green am one and the same person as Cheryl J. Green and Cheryl Jean Green.
6. I cannot provide any Original or Copies of Tax Bills, Title Insurance Policies, Utility Bills or any other supporting documentation to reference the 35109 HIGHWAY 79, UNIT SP. 94 WARNER SPRINGS CA 92086-9711 address; which is one and the same address that is noted on the above referenced Grant Deed.
7. I cannot provide any original or copies of Tax Bills, Title Insurance Policies, Utility Bills or any other supporting documentation to reference the 32694 GALLEANO AVE WINCHESTER CA 92596-9795 address; which is one and the same address that Riverside County recognizes as the tax mailing address. The only documentation I can provide to reference this address is the death certificates for my Mother Janet E. Leivan and Father James Edward Leivan.
8. I assigned the excess proceeds to Global Discoveries, Ltd., for Riverside County Assessors Parcel Number 964020016-2.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23 day of May 2018, in Bakersfield, Ca.

Cheryl Green
Cheryl Green as heir to the Estate of Janet E Leivan

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA

County of KERN

Subscribed and sworn to (or affirmed) before me on this

23 day of May, 20 18, by
Date Month Year

Cheryl Green
Name of Signer



proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature K. Hill
Signature of Notary Public

(Place Notary Seal Above)

ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

I, the undersigned, do hereby assign to Global Discoveries Ltd. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 964020016-2 Tax Sale Number TC 212, Item 951 sold at public auction on 4/26/2018. I understand that the total of excess proceeds available for refund is \$ 338,831.97+/- and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VALUABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

Signature of Party of Interest/Assignor

June 6, 2019 (Date)

James Noel Flanagan as heir to the Estate of Janet E Leivan (Name Printed)

c/o California Medical Facility CDC# V36539 Loc: L3-316 PO Box 2000 (Address)

Vacaville, CA, 95696-2000 (City/State/Zip)

(Area Code/Telephone Number)

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

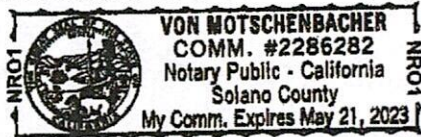
State of CALIFORNIA County of SOLANO

On JUNE 6, 2019 before me, VON MOTSCHENBACHER NOTARY PUBLIC, personally appeared JAMES NOEL FLANAGAN (here insert name and title of the officer)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal Signature of Notary Public



I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

Signature of Assignee

Jed Byerly, Managing Member of Global Discoveries Ltd. (Name Printed)

P.O. Box 1748 (Address)

Modesto, CA 95353-1748 (City/State/Zip)

Phone: (209) 593-3913

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA County of STANISLAUS

On 6/14/19 before me, Maria Mendoza, Notary Public, personally appeared Jed Byerly (here insert name and title of the officer)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal Signature of Notary Public 117-174 (3/85) (Ret-Perm)



ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to Global Discoveries Ltd. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 964020016-2 Tax Sale Number TC 212, Item 951 sold at public auction on 4/26/2018. I understand that the total of excess proceeds available for refund is \$ 338,831.97+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VAUABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

Patricia Deann Flanagan
(Signature of Party of Interest/Assignor)

4-5-19
(Date)

Patricia Deann Flanagan as heir to the Estate of Debra Wisner who was heir to the Estate of Janet E Lelvan

(Name Printed)

Tax ID/SS#

326 G Street

(Address)

Bakersfield, CA, 93304

(City/State/Zip)

(Area Code/Telephone Number)

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Kern

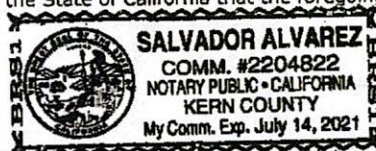
On 4-5-19 before me, Salvador Alvarez Notary Public, personally appeared Patricia Deann Flanagan
(Date) (here insert name and title of the officer)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Salvador Alvarez (seal)
Signature of Notary Public



I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

Jed Beyerly
(Signature of Assignee)

Jed Beyerly, Managing Member
(Name Printed)

Tax ID/SS# 77-0558969

Global Discoveries Ltd.
(Address)

P.O. Box 1748
Modesto, CA 95353-1748

(City/State/Zip)

Phone: (209) 593-3913

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Stanislaus

On 4/17/19 before me, Maria Mendoza, Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Jed Beyerly, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Maria Mendoza (seal)
Signature of Notary Public
117-174 (3/85) (Ret-Perm)



ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to Global Discoveries Ltd. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 964020016-2 Tax Sale Number, Item 951 sold at public auction on 4/26/2018. I understand that the total of excess proceeds available for refund is \$ 339,347.00+/- and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VAULABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

[Signature]
(Signature of Party of Interest/Assignor)

5-23-18
(Date)

Cheryl Green as heir to the Estate of Janet E Leivan
(Name Printed)

514 S. Brown Street
(Address)

Bakersfield, CA, 93307
(City/State/Zip)

661-376-8785
(Area Code/Telephone Number)

Tax ID/SS# 6

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

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State of CALIFORNIA

County of KERN

On MAY 23, 2018 before me, K. HILL, NOTARY PUBLIC, personally appeared
(Date) (here insert name and title of the officer)

CHERYL GREEN, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

K. Hill (seal)
Signature of Notary Public



I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

[Signature]
(Signature of Assignee)

Jed Byerly, Managing Member
(Name Printed)

Global Discoveries Ltd.
(Address)

P.O. Box 1748
Modesto, CA 95353-1748
(City/State/Zip)

Phone: (209) 593-3913

Tax ID/SS# 77-0558969

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

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State of California

County of Stanislaus

On 9/18/18 before me, Candace Cox - Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Jed Byerly, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Candace Cox (seal)
Signature of Notary Public
117-174 (3/85) (Ret-Perm)



ASSIGNMENT OF RIGHT TO COLLECT EXCESS PROCEEDS

To expedite processing of this claim, we would strongly suggest you use this form. For this form to be valid it must be completed in its entirety and documentation establishing the assignor as a "party of interest" must be provided at the time this document is filed with the Treasurer-Tax Collector. PLEASE SEE REVERSE SIDE OF THIS DOCUMENT FOR FURTHER INSTRUCTIONS.

As a party of interest (defined in Section 4675 of the California Revenue and Taxation Code), I, the undersigned, do hereby assign to Global Discoveries Ltd. my right to apply for and collect the excess proceeds which you are holding and to which I am entitled from the sale of assessment number 964020016-2 Tax Sale Number, Item 951 sold at public auction on 4/26/2018. I understand that the total of excess proceeds available for refund is \$ 339,347.00+/-, and that I AM GIVING UP MY RIGHT TO FILE A CLAIM FOR THEM. FOR VAUABLE CONSIDERATION RECEIVED I HAVE SOLD THIS RIGHT OF COLLECTION (assignment) TO THE ASSIGNEE. I certify under penalty of perjury that I have disclosed to the assignee all facts of which I am aware relating to the value of this right I am assigning.

[Signature] 5-23-18
(Signature of Party of Interest/Assignor) (Date)

Denell DeWater as heir to the Estate of Janet E. Leivan
(Name Printed)
1048 W. Rosamond Blvd, D-5
(Address)
Rosamond, CA, 93560
(City/State/Zip)
661-365-7398
(Area Code/Telephone Number)

Tax ID/SS#

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Kern

On May 23 2018 before me, Jodi Gandolfo, Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Denell DeWater, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Jodi Gandolfo (seal)
Signature of Notary Public



I, the undersigned, certify under penalty of perjury that I have disclosed to the party of interest (assignor), pursuant to Section 4675 of the California Revenue and Taxation Code, all facts of which I am aware relating to the value of the right he is assigning, that I have disclosed to him the full amount of excess proceeds available, and that I HAVE ADVISED HIM OF HIS RIGHT TO FILE A CLAIM ON HIS OWN WITHOUT ASSIGNING THAT RIGHT.

[Signature]
(Signature of Assignee)

Jed Byerly, Managing Member
(Name Printed)

Global Discoveries Ltd.
(Address)
P.O. Box 1748
Modesto, CA 95353-1748
(City/State/Zip)

Phone: (209) 593-3913

Tax ID/SS# 77-0558969

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State of California

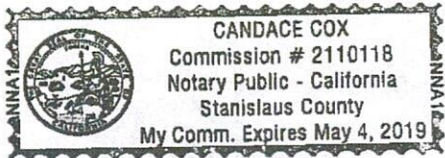
County of Stanislaus

On 9/13/18 before me, Candace Cox - Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Jed Byerly, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Candace Cox (seal)
Signature of Notary Public
117-174 (3/85) (Ret-Perm)



CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY

To: Riverside County Treasurer and Tax Collector

Assessor's Parcel No: 964020016-2
Tax Sale Number: TC 212
Item Number: 951
Date of Sale: 4/26/2018

The undersigned claimant, Global Discoveries, Ltd., claims \$338,831.97 or +/- or 100% of the claimant's share of the actual amount of excess proceeds from the sale of the property referenced above.

Global Discoveries, Ltd., claims its status as a party of interest pursuant to Section 4675 of the California Revenue and Taxation Code based upon the attached documentation:

Please refer to Claim Summary and attached Documents

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

Executed this 13th day of JUNE, 2019 at Modesto, California.

By: [Signature]
Jed Byerly, Managing Member
Global Discoveries Ltd. Tax ID # 77-0558969
P.O. Box 1748
Modesto, CA 95353-1748

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

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State of CALIFORNIA

County of STANISLAUS

On 6/14/19 before me, Maria Mendoza Notary Public, personally appeared
(Date) (here insert name and title of the officer)

Jed Byerly, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature] (seal)
Signature of Notary Public

