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(310)

Attorney for Petitioner

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF _____

| | | |
|-----------|---|----------------------------|
| Estate of |) | CASE NO. |
| |) | |
| |) | PETITION FOR PRELIMINARY |
| |) | DISTRIBUTION (PROBATE CODE |
|, |) | SECTION 11620 ET. SEQ.). |
| |) | |
| |) | |
| Deceased. |) | |
| _____ |) | |

Petitioner,, as legal heir and named beneficiary requests a court order for preliminary distribution of the estate and alleges:

1. The decedent died on, 200_, a resident of County, California.

2. The decedent's will dated, and codicil dated, were admitted to probate on, 200_. Letters of Administration with will annexed were issued to and he is now the duly qualified personal representative of the estate.

3. Notice to creditors has been regularly given as required by law and the time for filing claims has expired.

4. Notice to the Director of Health Services is not required under Probate Code Section 9202 because decedent did not receive any Medi-Cal Benefits. The estate is not required to notice any "public entity" described in Probate Code Section 9201.

5. The decedent was not married at the date of her death, and therefore the entire estate was her separate property.

6. An Inventory and Appraisal was filed with this court in _____, 200_, which shows the estate to have a value of \$.....

7. A codicil dated _____ has been admitted into probate and states that the property located at "..... will go to" A copy of said codicil is attached to the Amendment to Petition for Probate as Exhibit 3e and was accepted by the court on _____. This asset is listed as item 3 on the Inventory and is more particularly described as:

Lot .., Block .., _____, City of _____, County of _____, State of California, as per plat recorded in book .. of Maps, Page .., records of said county.
APN.....

More Commonly Known as: CA

8. The distribution of this previously described real property to _____ may be made without loss to creditors or injury to the estate or any person interested in the estate.

9. The names and addresses of those persons whose interests in the estate may be affected by this petition are set forth in Exhibit "A" to this petition.

10. That the irrevocable assignment attached hereto as Exhibit "B" were entered into between Petitioner and _____ ("Assignee"). The assignee in Exhibit "C" has agreed to join in this petition and release any and all liens against the other estate real properties unrelated to this petition.

11. The distributive share to which is entitled, is subject to a lien in favor of, in the amount of \$..... plus interest, costs, fees, late charges and attorney fees according to the terms and conditions of that certain Promissory Note dated, secured by a Deed of Trust of even date and recorded as Instrument No..... on, and which constitutes a valid lien on the estate real property contained in said Deed of Trust.

12. Special Notice in this matter has been requested and all notices will be given as required by law.

WHEREFORE, petitioner prays for an order of this Court for Preliminary Distribution as follows:

1. To, a 100% interest in improved real property known as, County, California, more particularly described as:

Lot .., Block ..,, as per plat recorded in book .. of Maps, Page .., records of said county.

2. That the distributive share to which is entitled, be subject to a lien in favor of, in the principle amount of \$..... according to the terms and conditions of that certain promissory note dated, secured by a deed of trust of even date and recorded as Instrument Number on, which constitutes a valid lien on the real property contained in said deed of trust.

3. Petitioner further prays for such additional orders as this Court deems proper.

Dated: _____
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<ATTACH EXHIBITS>

VERIFICATION

I am the Petitioner in this action. I have read the foregoing Petition and it is true of my own knowledge, except as to those matters which are stated upon my information and belief and as to those matters I believe it to be true. I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Executed on _____, at _____, California.

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