

1. ESTATE OF ARANDA 22PR0194

Petition for Final Distribution on Waiver of Account

Letters of Administration were issued on December 15, 2022.

A Final Inventory and Appraisal was filed on November 22, 2022.

Waivers of Account as well as Waivers of Notice were executed by all of the heirs entitled to distributions under the estate and are on file with the court. Although an account was waived by the beneficiaries the Petition includes the Executor's First and Final Account and Report.

Notice of the hearing on the Petition was filed on June 14, 2023.

The proposed distribution of the estate includes distribution of equal one-sixth shares to each of six beneficiaries.

The petition requests:

1. The administration of the estate be brought to a close and the Executor's First and Final Account and Report be approved and allowed;
2. All acts, transactions and proceedings of the Executor be confirmed and approved;
3. The Executor be authorized to pay statutory attorney fees in the amount of \$8,760;
4. The Executor be authorized to pay herself \$8,760 in statutory compensation, plus reimbursement for \$16,079.59 in funds advanced to the estate for costs as detailed in the Report; and
5. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution.

TENTATIVE RULING #1: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

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2. ESTATE OF BARKLEY 23PR0148

Petition for Letters Testamentary

Decedent died testate on January 5, 2023, and survived three adult children. Petitioner is decedent's daughter.

The Will, dated March 21, 1990, and First Codicil dated July 14, 2017, was lodged with the court on July 10, 2023, and are admitted to probate. Petitioner is named as successor Executor in the Will.

The Will waives bond.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on July 10, 2023.

Proof of service of Notice of the Petition was filed on July 18, 2023.

Proof of publication was filed on August 4, 2023.

The Petition requests full authority under the Independent Administration of Estates Act.

**TENTATIVE RULING #2: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED.
A STATUS OF ADMINISTRATION HEARING IS SET AT 8:30 A.M. ON MONDAY, AUGUST 19,
2024, IN DEPARTMENT NINE.**

**IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530)
621-5867 AND MEETING INFORMATION WILL BE PROVIDED.**

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3. ESTATE OF PEARCE PP20210080

Inventory and Appraisal

A partial Inventory and Appraisal having been filed on January 4, 2023, this hearing is continued until the Status of Administration hearing scheduled on August 28, 2023.

TENTATIVE RULING #3: THIS MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, AUGUST 28, 2023. A STATUS OF ADMINISTRATION HEARING IS SET AT 8:30 A.M. ON MONDAY, AUGUST 19, 2024, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

4. ESTATE OF MORTON 23PR0082

(1) Petition for Letters Testamentary

(3) Motion to Consolidate Petition for Letters of Administration

Decedent died on January 11, 2023. Petitioner Cammie Morton is decedent's spouse.

The instant Petition was filed on April 14, 2023 by Cammie Morton to probate decedent's holographic Will. The handwritten, one-sentence Will was lodged with the court on April 24, 2023, attached to a Proof of Holographic Instrument, Form DE-135, executed by the decedent's father-in-law. A waiver of bond has been filed with the court by Petitioner, who is the sole beneficiary named in the Will. A Duties/Liabilities statement (DE 147/DE 147s) was filed on April 14, 2023. Proof of service of Notice of the Petition was filed on April 24, 2023. Proof of publication was filed on May 8, 2023. No executor is named in the Will.

On April 6, 2023, Mark Morton also filed a Petition for Letters of Administration to administer decedent's intestate estate, which was assigned Case No. 23PR0086, (Estate of Morton), after which Mark Morton died. Connie Lee, the sister of decedent and the sister-in-law of Cammie Morton, filed an amended Petition in that case on July 17, 2023 seeking to be named Administrator of the estate.

Connie Lee filed an Objection to the Petition for Letters Testamentary filed the instant case, questioning the authenticity of the Will. Her accompanying declaration, filed on July 12, 2023, asserts that Ms. Morton is improperly accessing and disbursing the assets of the estate. Ms. Lee requests that the court deny the Petition for Letters Testamentary filed by Ms. Morton, consolidate the two related cases pursuant to Code of Civil Procedure § 1048, and to grant her Petition to be named Administrator of decedent's intestate estate as filed in Case No. 23PR0086.

TENTATIVE RULING #4: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 21, 2023, IN DEPARTMENT NINE. A STATUS OF ADMINISTRATION HEARING IS SET AT 8:30 A.M. ON MONDAY, AUGUST 19, 2024, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

5. ESTATE OF HURTADO 22PR0070

Final Distribution on Waiver of Account

Letters of Administration were issued on May 24, 2022. A Final Inventory and Appraisal was filed on July 28, 2022. A waiver of account was executed by the sole beneficiary entitled to distributions under the estate. Notice of the hearing on the Petition was filed on August 2, 2023.

The proposed distribution of the estate is described in the Declaration filed by the Counsel for the Administrator, dated August 2, 2023, detailing adjustments to the distribution in light of advances made to the beneficiary Evan Hurtado by Probate Advance, LLC. As a result of these advances, the final proposed distribution is \$255,200 to Probate Advance, LLC, and \$5,884.92 to beneficiary Evan Hurtado.

The Petition requests:

1. The administration of the estate be brought to a close without the requirement of an accounting;
2. All acts, transactions and proceedings of the Administrator be confirmed and approved;
3. The Administrator be authorized to pay statutory attorney fees in the amount of \$10,955.00, and \$3,045.00 for compensation for extraordinary services, plus \$1,548.07 for costs advanced to the estate;
4. The Administrator be authorized to pay herself \$10,955.00 in statutory compensation;
5. Distribution of the estate in Petitioner's hands and any other property of the estate not now known or later discovered be distributed made to the beneficiaries as set forth in the Petition.
6. The Administrator be authorized to retain \$1,000.00 in closing expenses and to pay liabilities, and to deliver the unused part to the beneficiaries of the estate without further court order after closing expenses have been paid;
7. Upon filing of receipts that Petition may apply to be discharged and released from all liability that may be incurred hereafter.

TENTATIVE RULING #5: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 21, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

6. ESTATE OF OLMSTEAD PP20190077

**(1) Final Distribution and Account
(2) Petition to Determine Heirship**

The El Dorado County Public Administrator was appointed Administrator of decedent's intestate estate and Letters of Administration were issued on June 19, 2019.

A Final Inventory and Appraisal was filed on August 29, 2019.

Notice of the hearing on the Petition was filed on July 13, 2023.

Resolution of the estate was delayed by the Administrator's search for living heirs and COVIDS related delays in arranging for tenants to vacate a rental property that was then sold.

The proposed distribution of the estate includes one-third shares to two first cousins, and one-sixth shares to two first cousins, once removed from the deceased.

These heirs were identified when the Administrator determined that the decedent had no surviving spouse, no issue, no surviving siblings, and no surviving grandparents. The closest living relatives that the Administrator was able to identify were the son of decedent's aunt and the son of decedent's uncle (first cousins), and two sons of the pe-deceased daughter of decedent uncle (first cousins once removed). The identities of these heirs was established through birth certificates showing direct connection to one of the children of decedent's grandparents and either a driver's license or passport.

Probate Code § 6402(d) provides that if the decedent is not survived by a spouse, issue, parents or parent or issue of parents the entire intestate estate passes "to the issue of those grandparents if there is no surviving grandparent, the issue taking equally if they are all of the same degree of kinship to the decedent, but if of unequal degree those of more remote degree take in the manner provided in Section 240."

Probate Code § 240 provides:

If a statute calls for property to be distributed or taken in the manner provided in this section, the property shall be divided into as many equal shares as there are living members of the nearest generation of issue then living and deceased members of that generation who leave issue then living, each living member of the nearest generation of issue then living receiving one share and the share of each deceased member of that generation who leaves issue then living being divided in the same manner among his or her then living issue.

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The Petition requests:

1. The administration of the estate be brought to a close;
2. That the First and Final Account of the Administrator be settled, allowed and approved as filed;
3. All acts and proceedings of the Administrator be confirmed and approved;
4. The Administrator be authorized to pay statutory attorney fees in the amount of \$9,585.98, and \$2074.00 for compensation for extraordinary services to the estate;
5. The Administrator be authorized to credit the El Dorado County Public Administrator with \$9,585.98 in statutory compensation and \$2,172.50 for compensation for extraordinary services to the estate;
6. The intestate heirs and their interests be determined as set forth in the Petition;
7. Distribution of the estate in Petitioner's hands and any other property of the estate not now known or later discovered be distributed made to the beneficiaries as set forth in the Petition.
8. The Administrator be authorized to retain \$5,000 in closing expenses and to pay liabilities, and to deliver the unused part to the beneficiaries of the estate without further court order after closing expenses have been paid; and
9. Upon filing of receipts that Petitioner be discharged and released from all liability that may be incurred hereafter.

No objection has been filed to the Petition.

TENTATIVE RULING #6: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

7. ESTATE OF CHISHOLM 22PR0159

Inventory and Appraisal

Letters of Administration were issued on March 10, 2023. On May 4, 2023, the Administrator filed a report stating that she is working diligently to prepare an Inventory and Appraisal and requested an additional time to gather the assets and prepare a report. At this time there is no Inventory and Appraisal on file with the court.

A Status of Administration hearing is scheduled for September 11, 2023.

TENTATIVE RULING #7: THE MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, SEPTEMBER 11, 2023.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

8. ESTATE OF REES 23PR0052

Petition for Determination of Entitlement to Estate Distribution

Decedent died on May 25, 2022. A Petition for Letters of Administration was filed by decedent's daughter Kelsey Walkover, stating that the decedent died intestate, but adds:

A purported will has been discovered and was lodged with the Court. Objections were made to the probate of that purported Will on the basis that it was procured by fraud and undue influence. As a result, Petitioner is now petitioning to administer the estate intestate. All potential beneficiaries of the purported Wil [sic] have consented to this Petition for Probate, which consents will be filed separately.

No Will has been lodged with the court, not are any consents to the Petition for Probate on file with the court. The Petition stated that all heirs had waived bond, but only Petitioner has filed a bond waiver with the court. The proof of service is addressed to Petitioner and three other individuals, Timothy Rees, Jeffery Rees, and Christine Kelly, in addition to counsel.

In response to the Petition for Letters of Administration, on May 8, 2023 a Petition for Determination of Entitlement to an Estate Distribution (Probate Code § 11700) and Statement of Interest (Probate Code § 11702)¹ was filed on May 8, 2023, by decedent's stepson, Timothy Rees. That Petition alleges that the purported Will is invalid, and that the estate should be divided equally among the four children of the marriage between decedent and his father, Stanton Albert Rees.

Probate Code § 11700 provides:

At any time after letters are first issued to a general personal representative and before an order for final distribution is made, the personal representative, or any person claiming to be a beneficiary or otherwise entitled to distribution of a share of the estate, may file a petition for a court determination of the persons entitled to distribution of the decedent's estate. The petition shall include a statement of the basis for the petitioner's claim.

The Petition requests that the court deny the Petition for intestate probate, that the court recognize Petitioner's entitlement to an equal share of the estate with the decedent's daughter Kelsey Walkover and decedent's other two stepchildren, Christine Kelly and Jeffery Rees.

¹ Probate Code § 11702(a): "Any interested person may appear and, at or before the time of the hearing, file a written statement of the person's interest in the estate. The written statement may be in support of, or in opposition to, the petition. No other pleadings are necessary and the written statement of each claimant shall be deemed denied by each of the other claimants to the extent the written statements conflict."

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This case is related to a prior case that was dismissed pursuant to a Request for Dismissal filed by Kelsey Walkover on March 1, 2023 (22PR0164) following filing of an objection by Timothy Rees accusing Kelsey Walkover of having procured the Will through the exercise of undue influence.

At the hearing on the Petition for Letters of Administration on May 15, 2023, the court granted the Petition and Letters of Administration were issued to Kelsey Walkover.

TENTATIVE RULING #8: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 21, 2023, IN DEPARTMENT NINE. A STATUS OF ADMINISTRATION HEARING IS SET AT 8:30 A.M. ON MONDAY, AUGUST 19, 2024, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

9. ESTATE OF HARTMAN 22PR0088

Final Account and Distribution

Letters of Administration were issued on July 20, 2022.

A Final Inventory and Appraisal was filed on November 28, 2022.

Notice of the Petition was filed on July 6, 2023.

The proposed distribution of the estate includes distribution of equal shares to decedent's two surviving adult children.

The Petition requests:

1. The administration of the estate be brought to a close;
2. The First and Final Account filed with the Petition be settled, allowed and approved;
3. All acts, transactions, sales and investments of the personal representative be ratified, approved and confirmed;
4. The Administrator be authorized to pay statutory attorney fees in the amount of \$23,524.92, plus \$717.50 for costs advanced to the estate;
5. The Administrator be authorized to pay herself \$23,524.92 in statutory compensation, plus \$1,870.78 for costs advanced to the estate;
6. The Administrator be authorized to pay the CPA \$950 for accounting services provided to the estate;
6. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution; and
7. The Administrator be authorized to retain \$10,000 in closing expenses and to pay liabilities, and to deliver the unused part to the beneficiaries of the estate without further court order after closing expenses have been paid.

TENTATIVE RULING #9: ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

10. ESTATE OF ALTER 22PR0000

Final Account and Distribution

Letters of Administration were issued on January 5, 2022.

A Final Inventory and Appraisal was filed on October 20, 2022.

Notice of the Petition was filed on June 22, 2023.

The proposed distribution of the estate includes distribution of decedent's two businesses to decedent's partner, in accordance with the terms of the Will, a vehicle with a value of \$6,000 to one of decedent's two children, and a corresponding payment of \$3,000 to the other child. Any other property of the estate will be divided equally between decedent's two children in accordance with the terms of the Will.

The petition requests:

8. The administration of the estate be brought to a close;
9. The First and Final Account filed with the Petition be settled, allowed and approved;
10. All acts, transactions, sales and investments of the personal representative be ratified, approved and confirmed;
11. The Administrator be authorized to pay statutory attorney fees in the amount of \$23,524.92, plus \$717.50 for costs advanced to the estate;
12. The Administrator be authorized to pay herself \$23,524.92 in statutory compensation, plus \$1,870.78 for costs advanced to the estate;
13. The Administrator be authorized to pay the CPA \$950 for accounting services provided to the estate;
7. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution; and
14. The Administrator be authorized to retain \$10,000 in closing expenses and to pay liabilities, and to deliver the unused part to the beneficiaries of the estate without further court order after closing expenses have been paid.

TENTATIVE RULING #10: ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

11. ESTATE OF COOPER 22PR0043

Final Account and Distribution

Letters of Administration were issued on May 6, 2022.

A Final Inventory and Appraisal was filed on February 6, 2023.

Notice of the Petition was filed on July 11, 2023.

Decedent had three biological children, EDG, CLM and KMM. She treated GLM as her own child and had a parent-child relationship for his entire life. CLM assigned \$5,000 of his interest in the estate to a third party, and then assigned his remaining interest to the other heirs. The remaining children have agreed on a distribution of \$10,000 to each of the three of them, \$5,000 to the third party who was an assignee of CLM, \$2,000 of reserve for closing costs, and the remainder (\$151.13) to Petitioner, who was decedent's long-time partner.

The Petition requests:

1. The administration of the estate be brought to a close;
2. The First and Final Account filed with the Petition be confirmed and approved;
3. All acts and proceedings of Petitioner as Administrator be confirmed and approved;
4. The Administrator be authorized to pay statutory attorney fees in the amount of \$9,160.00, plus \$864.75 for costs advanced to the estate;
5. The Administrator be authorized to pay himself \$9,160.00 in statutory compensation;
6. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution; and
7. The Administrator be authorized to retain \$2,000 in closing expenses and to pay liabilities, and to deliver the unused part to the beneficiaries of the estate without further court order after closing expenses have been paid;
8. All other property of the decedent or the estate not now known or later discovered be distributed made to the beneficiaries as set forth in the Petition; and
9. Upon filing of receipts that Petitioner be discharged and released from all liability that may be incurred hereafter.

TENTATIVE RULING #11: ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

12. IN THE MATTER OF MILLER 23PR0142

Petition for Letters Testamentary

Decedent died testate on May 12, 2023, survived by three adult children, a nephew-in-law and a niece. The three children are identified in the Will but only decedent's nephew-in-law and niece are named beneficiaries in the Will. Petitioner is decedent's niece.

The Will, dated April 9th, 2009, was lodged with the court on July 19, 2023, and is admitted to probate.

The Will waives bond and names Petitioner as successor Executor. The first named Executor, decedent's nephew-in-law, filed a declination to serve that is attached to the Petition.

Proof of service of Notice of the Petition was filed on July 11, 2023.

Proof of publication was filed on July 24, 2023.

The Petition requests limited authority under the Independent Administration of Estates Act.

There is no Duties/Liabilities statement (DE 147/DE 147s) on file with the court.

TENTATIVE RULING #12: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 21, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

13. IN THE MATTER OF JAMES R. MORTON 23PR0086

Letters of Administration

On April 6, 2023, Mark Morton filed a Petition for Letters of Administration to administer decedent's intestate estate, which was assigned Case No. 23PR0086, (Estate of Morton), after which Mark Morton died. Connie Lee, the sister of decedent and the sister-in-law of Cammie Morton, filed an amended Petition in that case on July 17, 2023 seeking to be named Administrator of the estate.

The Petition requests full authority under the Independent Administration of Estates Act, and requests bond be fixed in the amount of \$1,300,000.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on July 12, 2023.

Proof of service of Notice of the Petition was filed on July 17, 2023.

There is no proof of publication on file with the court.

Motion to Consolidate

This matter is the subject of a Motion to Consolidate with Estate of Morton (23PR0082) pursuant to Code of Civil Procedure § 1048. See, Tentative Ruling #4, Estate of Morton (23PR0082).

Code of Civil Procedure § 1048(a) provides:

When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

TENTATIVE RULING #13: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 21, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

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14. IN THE MATTER OF EDNA EARL REVOCABLE TRUST

22PR0116

Review Hearing

TENTATIVE RULING #14: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 21, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

15. IN THE MATTER OF EILEEN E. MCCALLUM TRUST 23PR0139

Petition for Order Determining Trustee's Title to Personal Property

Pursuant to Probate Code § 850, this Petition relates to two Bank of America Checking accounts which the settlor did not formally register in the name of the Trust assets prior to her death, although the settlor did expressly list the accounts in Schedule A to the Trust. See Petition Exhibit C.

The Petition requests the court to issue an Order determining that the settlor's right, title and interest in the personal property Bank of America Checking Account No. 3250-0458-4728 and Bank of America Savings Account No. 00124350 8068 are the property of the Eileen E. McCallum Trust under the terms of the Declaration of Trust dated May 16, 2019, and are subject to administration by the current trustee, Deborah D. McCallum, and all successors in trust, as part of the Trust estate and subject to the terms of the Trust.

TENTATIVE RULING #15: ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

16. ESTATE OF DAVIDSON 23PR0138

Petition for Letters Testamentary

Decedent died testate on March 9, 2022. Petitioner is decedent's friend. Petitioner was named as Executor in the Will. The Will waives bond.

The Petition requests full authority under the Independent Administration of Estates Act.

A Duties/Liabilities Statement (DE 147) was filed on June 28, 2023, but there is no DE-147s form on file with the court, as required by Local Rules of El Dorado County Superior Court, Rule 10.02.10.

Proof of publication was filed on August 4, 2023.

There is no proof of service of Notice of the Petition on file with the court.

TENTATIVE RULING #16: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 21, 2023, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

17. THE ZAROW TRUST 23PR0145

Final Account and Distribution

Decedent, settlor of the Zarow Trust ("Trust"), dated October 17, 1985 and restated on April 4, 2017 (Petition, Exhibit A), died on May 18, 2021. Petitioner was appointed co-trustee on June 27, 2018, which is the date that the settlor executed a First Amendment to the Trust. Petition, Exhibit B. While the Trust is not subject to continuing court supervision, Petitioner and, according to the verified Petition, the trust beneficiaries, request court approval of the final account and distribution proposed by the Petition. There are eight Trust beneficiaries, including Petitioner, who are the surviving children of the settlor.

Exhibits D, E and F to the Petition are the accounts of the administration of the Trust for the years 2021, 2022 and 2023, respectively.

Notice of the hearing on the Petition was filed on July 14, 2023.

The proposed distribution of the estate includes:

1. Reimbursement to Petitioner/Trustee

Petitioner has submitted a Declaration, dated July 3, 2023 ("Christensen Declaration"), in which she details the need for her expenditure of \$51,041.83 for which she claims reimbursement from the Trust between 2019 and 2021. See Exhibit A to Christensen Declaration. A catalogue of travel and the reasons required for travel and other expenses is detailed in Christensen Declaration Exhibit B. Payment of attorney's fees for legal services to the estate are also included in these amounts. Essentially, Petitioner served as her mother's caregiver since 2019 and managed the estate assets after her mother's death in 2021, all of which required frequent travel between her home in El Dorado County to her mother's home in Southern California. Petitioner has already reimbursed herself partially from the Trust in the amount of \$31,667.00 and requests the court's authorization to reimburse herself the additional \$19,403.48.

2. Payment of Trustee

Petitioner seeks the court's approval of a payment to her of \$22,500 on November 5, 2021, an amount that is not included in the reimbursement calculation above. This amount is authorized by the Trust ¶ 4.03:

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In lieu of Trustee compensation, the Trustee shall distribute the sum of Twenty-Two Thousand Five Hundred Dollars (\$22,500) to the person who shall then be serving as the Trustee of this Trust.

The Trust (Petition Exhibits A and B) provides for payment of "as much of the principal of the trust property as is necessary in the Trustee's discretion for the Trustor's proper health, support, maintenance comfort and welfare." Article 3, ¶3.01.

3. Disbursement to Heirs

The Petition proposes dividing the remainder of the estate, after deductions for reimbursement detailed above, equally between the eight children of the settlor, which amounts to a payment of \$36,899.75 to each surviving child, including Petitioner.

The Petition requests the court for:

1. Settlement and allowance of the First and Final Account and Report and approval and confirmation of the acts of Petitioner as Trustee
2. Approval and confirmation of all reported acts and transactions of Petitioner as Trustee
3. Authorization for Petitioner to pay herself the sum of \$19,403.48 and for reimbursement of additional expenses
4. Authorization for Petition to distribute \$35,899.75 to each of the eight beneficiaries.

TENTATIVE RULING #17: ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.