

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 274043 NAME: STEPHANIE L. WEISMAN FIRM NAME: COSGROVE, HUMPHREY & WEISMAN STREET ADDRESS: 41604 Indian Trail Rd., Ste. 2 CITY: Rancho Mirage STATE: CA ZIP CODE: 92270 TELEPHONE NO.: (760) 340-6665 FAX NO.: E-MAIL ADDRESS: sweisman@cosandcos.com ATTORNEY FOR (name): ALBERT MEGGERS IV SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO STREET ADDRESS: 17780 Arrow Boulevard MAILING ADDRESS: 17780 Arrow Boulevard CITY AND ZIP CODE: Fontana, 92335 BRANCH NAME: Fontana District	FOR COURT USE ONLY  ELECTRONICALLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN BERNARDINO FONTANA DISTRICT  10/15/2024 3:46 PM By: Christina Wright, DEPUTY
ESTATE OF (name): ALBERT LAWRENCE MEGGERS III <div style="text-align: right;">DECEDENT</div>	CASE NUMBER: PROVA2400895
PETITION FOR <input checked="" type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters Testamentary <input type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters of Administration <input type="checkbox"/> 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	HEARING DATE AND TIME: DEPT.: 12/02/24 9:00AM F3

1. Publication will be in (specify name of newspaper): San Bernardino City News

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

2. Petitioner (name each): ALBERT MEGGERS IV

**requests that**

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

b. (name): ALBERT MEGGERS IV

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): 8/24/24 at (place): Crestline, CA

- (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):

528 Springy Path Crestline, CA 92325  
 San Bernardino County

ESTATE OF (name): ALBERT LAWRENCE MEGGERS III

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

(1) Personal property:	\$	0.00
(2) Annual gross income from		
(a) real property:	\$	0.00
(b) personal property:	\$	0.00
(3) Subtotal (add (1) and (2)):	\$	0.00
(4) Gross fair market value of real property:	\$	400,000.00
(5) (Less) Encumbrances:	(\$	170,000.00)
(6) Net value of real property:	\$	230,000.00
(7) Total (add (3) and (6)):	\$	230,000.00

- 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: 9/10/1999 ☐ 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): ALBERT LAWRENCE MEGGERS III

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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): ALBERT LAWRENCE MEGGERS III

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8. Name and relationship to decedentAgeAddress☒ Continued on Attachment 8.

9. Number of pages attached: \_\_\_\_\_

Date:

10/15/24

STEPHANIE L. WEISMAN

(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: Oct 14, 2024

ALBERT MEGGERS IV

(TYPE OR PRINT NAME OF PETITIONER)



Albert Meggers (Oct 14, 2024 15:31 PDT)

(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME OF PETITIONER)



(SIGNATURE OF PETITIONER)

Signatures of additional petitioners follow last attachment.

Estate of Albert Meggers III

ATTACHMENT 3f(2)

(COPY OF WILL)

**LAST WILL AND TESTAMENT**

**OF**

**ALBERT L. MEGGERS, III**

*AM*  
I, **ALBERT L. MEGGERS, III**, of Boones Mill, Virginia, do make, publish and declare this to be my last will and testament, hereby expressly revoking all other wills and codicils heretofore made by me.

**ARTICLE I**

I direct the payment of the debts of myself and my estate, including, but not limited to, final hospital costs, and other expenses of my last illness, funeral expenses, the cost of a monument or marker at my grave, and administrative costs, and all taxes, including but not limited to succession taxes on all property included in my estate for succession tax purposes. No portion of any taxes paid shall be charged to any beneficiary of any portion of my taxable estate.

**ARTICLE II**

I give and bequeath my tangible personal property to the person or persons, and in the order, set forth in Article III hereof for the disposition of the residuum of my estate.

I may leave a list, which I understand and intend shall have no legal effect, setting out how some of such property might be distributed.

### ARTICLE III

All the rest and residue of my property, real or personal, of whatsoever nature and wheresoever situated, to which I shall be legally or equitably entitled, I give, devise, and bequeath as follows:

*AGM*  
A. One share to my son **ALBERT MEGGERS, IV**, one share to my daughter, **DIXIE H. MEGGERS**, and one share to my daughter, **EMILEE J. MEGGERS**, to share and share alike.

B. In the event I am not survived by any one my children, I give, devise, and bequeath one of said shares to each of my then living children and one of said shares to the then living issue, per stirpes, of each of my children who has predeceased me leaving issue living at such time.

C. In the event I am predeceased by any of my children who leave no issue living at such time, I give, devise, and bequeath the share of my predeceased child who has left no issue to my then living children or their living issue, per stirpes, of each of my children who have predeceased me leaving issue living at such time.

### ARTICLE IV

I nominate and appoint as my Executor, my brother, **CARL A. MEGGERS** of 2 Sunset Terrace, Orinda, California. In the event that he fails to qualify or complete the

administration of my estate, I nominate as my Executor my son, **ALBERT MEGGERS, IV** of 6038 Eicklesson Street, Lakewood, California 90817. No security shall be required on the official bond of whoever shall act as my personal representative, whether appointed as a result of a nomination herein made or otherwise.

#### ARTICLE V

*Ally*  
My personal representative is authorized to exercise all powers granted fiduciaries under Section 64.1-57 of the Code of Virginia in effect on the date of my death, which Section is hereby incorporated by reference. In furtherance and not in limitation of the foregoing, I authorize whoever shall act as my personal representative (whether appointed as a result of a nomination herein made or otherwise) to sell, lease for any period whether or not beyond the duration of the administration of my estate, convey, or otherwise dispose of any or all of my properties, whether real or personal, or any interest therein, at such time or times, or for such price or prices, and upon such other terms and conditions as my personal representative shall, in his discretion deem proper; to make distribution in kind; to handle all tax matters; and otherwise to deal in and with my property in such manner and to the same extent that I could if acting personally.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this my will,



written on four (4) pages, all of which are identified by my initials on the margin thereof,  
on this 10th day of September, 1999.

*ALM*  
Albert L. Meggers III (SEAL)

**ALBERT L. MEGGERS, III**

The foregoing will of **ALBERT L. MEGGERS, III** was signed, sealed, published and declared by said testator as and for his last will and testament, in the presence of us two, all present at the same time, and we, in his presence and in the presence of each other and at his request, hereunto subscribe our names as attesting witnesses thereto.

Glenn M. Campbell  
WITNESS

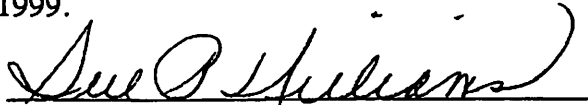
Glenn D. Gray  
WITNESS

STATE OF VIRGINIA

COUNTY OF FRANKLIN, to-wit:

Before me, the undersigned authority, on this day personally appeared **ALBERT MEGGERS, III, GLENN M. CAMPBELL** and **DIANE S. WRAY**, known to me to be the testator and the witnesses, respectively whose names are signed to the attached or foregoing instrument, and, all of these persons being by me first duly sworn, **ALBERT L. MEGGERS, III**, the testator, declared to me and to the witnesses in my presence that said instrument is his last will and testament and that he had willingly signed or directed another to sign the same for him, and executed it in the presence of said witnesses as his free and voluntary act for the purposes therein expressed, that said witnesses stated before me that the foregoing will was executed and acknowledged by the testator as his last will and testament in the presence of said witnesses who in his presence and at his request and in the presence of each other did subscribe their names thereto as attesting witnesses on the day of the date of said will and that the testator, at the time of the execution of said will was over the age of eighteen years and of sound and disposing mind and memory.

Sworn and acknowledged before me by **ALBERT L. MEGGERS, III**, the testator, and **GLENN M. CAMPBELL**, witness, and **DIANE S. WRAY**, witness, this day of 10th, A. D., 1999.

  
Notary Public

My commission expires: March 31, 2001

Estate of Albert Meggers III

ATTACHMENT 3g(1)(c)  
(Declination of Carl A. Meggers)

STEPHANIE L. WEISMAN (SBN 274043)  
DAVID V. HUMPHREY, JR. (SBN 238809)  
ANNE J. KANE (SBN 311286)  
COSGROVE, HUMPHREY & WEISMAN, ATTORNEYS AT LAW  
41-604 Indian Trail Road, Suite 2  
Rancho Mirage, CA 92270  
(760) 340-6665 / (760) 779-9487 FAX

Attorney for Petitioner ALBERT MEGGERS IV

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

Estate of	)	Case No.
	)	
ALBERT LAWRENCE MEGGERS III	)	DECLINATION TO ACT
	)	[Probate Code §8440]
Deceased.	)	
	)	
	)	
	)	
	)	
	)	
	)	
	)	
	)	
	)	

I, CARL A. MEGGERS, am a named executor of the will of the above decedent. I  
hereby decline to act as executor and waive all rights to such appointment under the decedent's  
will.

Dated: Oct 15, 2024

Carl A. Meggers  
Carl A. Meggers (Oct 15, 2024 12:57 PDT)  
CARL A. MEGGERS

ATTACHMENT 8

<b>Name/ Relationship</b>	<b>Age</b>	<b>Address</b>
Albert Meggers IV/ Son, Executor, Beneficiary	Adult	51477 Tanner Ridge Road San Diego, CA 92127
Dixie H. Meggers/ Daughter, Beneficiary	Adult	6038 Eckleson St. Lakewood CA 90713
Emilee J. Meggers/ Daughter	Adult	3620 Daufuskie Drive Wilmington NC 28412
Carl A. Meggers/ Brother, Executor	Adult	2 Sunset Trail Orinda CA 94563