| | | | DE-111 |
|----------------------------|--|--|-------------|
| NAME: FIRM N | NEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 245317 Daniel J. Tripathi AME: Cal-Lawyer PLC AME: Cal-Lawyer PLC | FOR COURT USE ONLY | |
| CITY: TELEPI E-MAIL | r ADDRESS: 4192 Brockton Ave Suite 100 Riverside STATE: CA ZIP CODE: 92501 HONE NO.: 951-880-7946 FAX NO.: 951-742-7844 ADDRESS: dan@cal-lawyer.com NEY FOR (name): Ramon Villicana | FILED Superior Court of Califo County of Riverside | rnia |
| STREI MAILIN CITY AI | RIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE ET ADDRESS: 4050 Main Street IG ADDRESS: 4050 Main Street ID ZIP CODE: Riverside, 92501 ANCH NAME: Historic Courthouse | 4/25/2023 M. Preciado Electronically Filed | |
| ESTA | TE OF (name): EMILIANO VILLICANA DECEDENT | | |
| PETI | TION FOR x 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 x Authorization to Administer Under the Independent Administration of Estates Act with limited authority | CASE NUMBER: PRRI2201645 HEARING DATE AND TIME: | DEPT.: 8 |
| a. b. 2. Po | ublication will be in (specify name of newspaper): Publication requested. Publication to be arranged. Stitioner (name each): AMON VILLICANA | | |
| re a. b. c. d. | (1) x executor (2) administrator with will annexed (3) administrator (4) special administrator with general powers and Letters issue upon qualification. x full limited authority be granted to administer under the Independent | by an admitted surety insurer or as o | |
| | (3) \$ in deposits in a blocked account be allowed (Specify institution and location): | I. Receipts will be filed. | |
| 3. а. | Decedent died on (<i>date</i>): 12/27/2021 at (<i>place</i>): San Diego County, C (1) x a resident of the county named above. (2) a nonresident of California and left an estate in the county named above <i>publication in the newspaper named in item 1</i>): | | ıg |
| b. | Decedent was a citizen of a country other than the United States (specify country other than the United States (sp | intry): | |
| C. | Street address, city, and county of decedent's residence at time of death (specify): 21685 Pecan St. Wildomar, CA 92595, Riverside County | | Page 1 of 4 |

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PETITION FOR PROBATE (Probate—Decedents Estates) Probate Code, §§ 8002, 10450; www.courls.ca.gov

| ESTAT | E OF (name): | | | |
|----------|--|---|---|--|
| | | EM | | ASE NUMBER: PRRI2201645 |
| e. f. | (2) All beneficiaries are adults and h 3e(2).) (3) All heirs at law are adults and ha (4) Sole personal representative is a (1) Decedent died intestate. (2) Copy of decedent's will dated: 10 are affixed as Attachment 3f(2). <i>language documents.</i>) (3) The original of the will and/or coordinates (3) | \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ | e (complete in all cases (complete in all cases) s the named executor, nd the will does not re fix waiver as Attachme or an exempt governr codicil dated es of handwritten docu Code, § 8220). has been lost. (Affix a nce in Attachment 3f(3 ot apply.) e boxes); b | <pre>\$ <u>\$483,600.00</u> and the will waives bond. quire a bond. (Affix waiver as Attachment ent 3e(3).) ment agency. (specify for each): ments and English translations of foreign- a copy of the lost will or codicil or a written a), and state reasons in that attachment</pre> |
| | (c) Proposed personal represer (Affix nomination as Attachn (d) Other named executors will other reasons (specify other reasons (specify) (2) Appointment of administrator: (a) Petitioner is a person entitle (b) Petitioner is a nominee of a (c) Petitioner is related to the detection | ntative is a nominee nent 3g(1)(c).) not act because of y): tachment 3g(1)(d). d to Letters. (If nece person entitled to Lo ecedent as (specify) rator requested. (Sp ve would be a succe by permanent addres | essary, explain priority etters. (Aflix nominatio): ecify grounds and requissor personal represe | declination in Attachment 3g(2)(a).) in as Attachment 3g(2)(b).) uested powers in Attachment 3g(3).) |

DE-111 (Rev. July 1, 2017)

PETITION FOR PROBATE (Probate---Decedents Estates) Page 2 of 4

| | | DE-111 |
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| ESTATE OF (name): | EMILIANO VILLICANA CASE NUMBER: DECEDENT PRRI2201645 | |
| | DECEDENT | |

- 4. x 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) x no spouse as follows:
 - (a) divorced or never married.
 - (b) x spouse deceased.
 - (3) registered domestic partner.
 - (4) x no registered domestic partner. (See Fam. Code, § 297.5(c); Prob. Code, §§ 37(b), 6401(c), and 6402.)
 - (5) x child as follows:
 - (a) 🔀 natural or adopted.
 - (b) ____ natural adopted by a third party.
 - (6) no child.
 - (7) issue of a predeceased child.
 - (8) x no issue of a predeceased child.
 - b. Decedent was x 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.)
- (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. x Decedent had a predeceased spouse who
 - (1) x 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.

| DE-1 | 11 | |
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| | ESTATE OF (name): | EMILIANO VILLICANA DECEDENT | |
|--|-------------------|--------------------------------|--|
|--|-------------------|--------------------------------|--|

Name and relationship to decedent

<u>Age</u>

Address

See enclosed Service List

X Continued on Attachment 8.

9. Number of pages attached:

1/19/23 Ý Date:

DANIEL J. TRIPATHI

(TYPE OR PRINT NAME OF ATTORNEY)

(SIGNATURE OF ATTORNEY) *

* (Signatures of all politioners are also required. All politioners must sign, but the petillon 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: 4/25/23

RAMON VILLACANA

(TYPE OR PRINT NAME OF PET/TIONER)

(TYPE OR PRINT NAME OF PETITIONER)

Signatures of additional petitioners follow last attachment.

ance (SIGNATURE OF PETITIONER)

(SIGNATURE OF PETITIONER)

DE-111 (Rav. July 1, 2017)

PETITION FOR PROBATE (Probate—Decedents Estates Page 4 of 4

Attachment 8

EMILIANO VILLACANA, decedent 21685 Pecan Street Wildomar, CA 92595 (Per local rule)

EVA GLORIA VILLICANA, deceased spouse, died September 22, 2015

Ramon Lara Villicana 21721 Seine Avenue Hawaiian Gardens, CA 90716

Ramon Lara Villicana 24341 Carman Lane Moreno Valley, CA 92551

Daniel Villicana 21685 Pecan Street Wildomar, CA 92595

Jesus Villicana 21685 Pecan Street Wildomar, CA 92595

Emilio Villicana, died December 14, 2021, no issue

GUADALUPE VILLICANA GUZMAN, Mexico; estranged from family; background checks provide no information; whereabouts unknown. (See Declaration of Due Diligence)

Office of the Public Administrator, Riverside County 800 S Redlands Ave Perris, CA 92570 Bettye T. Yee California State Controller's Office Unclaimed Property Division 10600 White Rock Road, Suite 141 Rancho Cordova, California 95670

David D. L. Horton, ESQ. SBN#297149 David D. L. Horton, ESQ & Associates APC 3750 UNIVERSITY AVENUE, STE. 560 RIVERSIDE, CA 92501

WILLIAM M. NASSAR (SBN#171787) LAW OFFICE OF WILLAM M. NASSAR AND ASSOCIATES 1461 FORD STREET STE. 203 REDLANDS, CA 92373

Last Will And Testament of EMILIANO VILLICANA

I, EMILIANO VILLICANA, a resident of the State of California, being of legal age and of sound and disposing mind and memory, and not acting under duress, fraud, menace or undue influence of any person whatsoever, do make, publish and declare as follows: I hereby expressly revoke ALL my former Wills and Codicils, if any, and declare this to be my true and only Last Will and Testament.

I have the following living children:

EMILIO F. VILLICANA, JESUS VILLICANA, DANIEL VILLICANA & GUADALUPE VILLICANA GUZMAN

It is my specific intention not to leave any portion of my estate to any of my children or other heirs (whether named or omitted herein) through this Will, but rather to leave to my Trust any property not otherwise transferred to my Trust or otherwise disposed of, and all distributions of my estate shall be effected through my Trust.

ARTICLE I PAYMENT OF DEBTS AND EXPENSES

I direct that my just debts, funeral expenses, and expenses of last illness be first paid from my estate or trust assets.

ARTICLE II DISPOSITION OF PROPERTY

All of the property that I own or have a right of claim for at my death (and which has not been previously transferred or assigned to my Trust), or which shall become payable to my estate or my personal representatives, and any property that I have the power to dispose of under my Will, excepting herefrom any property interests for which I have designated specific beneficiaries (i.e. insurance policies, bank accounts, etc.) shall be distributed to the Trustee of the

EMILIANO VILLICANA TRUST, Dated September 12, 2016

to be administered and distributed as provided under that Trust. This shall not include life insurance policies and/or financial institution accounts wherein a specific beneficiary (or beneficiaries) other than this Trust has been designated.

Estate Planning Documents For EMILIANO VILLICANA

ARTICLE III NOMINATION OF EXECUTOR/EXECUTRIX

I nominate:

RAMON LARA VILLICANA

as Executor/Executrix, to serve without bond or security. If such person or entity does not serve for any reason, I nominate:

ANGELA M. VILLICANA

as alternate Executor or Executrix, as the case may be, to serve without bond or security.

ARTICLE IV EXECUTOR/EXECUTRIX POWERS

My Executor/Executrix, in addition to other powers and authority granted by law or necessary or appropriate for proper administration, shall have the right and power to lease, sell, mortgage, or otherwise encumber any real or personal property that may be included in my estate, without order of court and without notice to anyone. My Executor/Executrix shall have the right to administer my estate using "informal",

"unsupervised", or "independent" probate, or equivalent legislation designed to operate without unnecessary intervention by the probate court.

ARTICLE V: NON-CONTESTABILITY

This Will is intended to be a "pour-over" will and as such is ancillary to the EMILIANO VILLICANA TRUST, Dated September 12, 2016

and contains the Testator's well-considered decisions regarding all aspects of this will as a conduit for distribution of all of Testator's assets through the aforementioned Trust. It is therefore intended to be a FINAL AND DEFINITIVE statement of the Testator's intentions, not to be changed by way of any legal challenge or otherwise unless any challenged provision is deemed to be unlawful in the state of jurisdiction. Therefore, in the event any beneficiary commences any legal action to contest or challenge the validity of this Last Will and Testament, or the validity or enforceability any of its provisions, said contesting beneficiary shall take nothing from the estate of Testator, and shall be liable to the estate for the reasonable attorney's fees and costs of suit incurred by the Executor/Executrix in defending any such contest.

IN WITNESS WHEREOF, I have subscribed my name below, on <u>SEP 1. 3916</u> in the City of <u>Downey</u>, <u>CA</u>.

ĚMILIANO VILLICANA

WITNESS ATTESTATION FOLLOWS THIS PAGE

Estate Planning Documents For EMILIANO VILLICANA

WITNESS ATTESTATION

The undersigned, each for himself or herself, declares that:

1. The foregoing instrument, consisting of THREE (3) pages, including the page signed us as witnesses, was on this date signed in our presence and in the presence of each of us by EMILIANO VILLICANA, herein called the "Testator."

2. At the time Testator signed the foregoing instrument, the Testator declared to each of us that it was his/her Will.

3. The Testator was, at the time he/she signed the foregoing instrument, over the age of 18 years and appeared to be of sound mind.

4. I have no knowledge of any facts indicating that the foregoing instrument, or any part of it, was procured to be made by duress, menace, fraud or undue influence.

5. At the request and in the presence of the Testator, and in the presence of each other, we subscribe our names and witnesses to the foregoing Will.

We, each for ourselves, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

| Executed | SEP 3 3 2016 | , in the City of Downly | , CA. |
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Print Name Street Address City, State Phone Number FIRST WITNESS Ashby Mata 8350 E. Florence Ave. Downey, CA 90240 562-861-1810

SIGNATURE

SIGNATURE

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Peter L. Lago 8350 E. Florence Ave. Downey, CA 90240 562/861-1810

SECOND WITNESS

Print Name Street Address City, State Phone Number

Estate Planning Documents For EMILIANO VILLICANA

CERTIFICATION OF VITAL RECORDS

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ERNEST J. DRONENBURG, JR. ASSESSOR/RECORDER/COUNTY CLERK

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