

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Chris Scarcella (SBN 280213) C.S. Scarcella & Associates 250 W. First Street Suite 244 Claremont, CA 91711 TELEPHONE NO.: (909) 529-3979 FAX NO. (Optional): 877-795-9845 E-MAIL ADDRESS (Optional): cs@scarcellaw.com ATTORNEY FOR (Name): KEVIN McBEAN		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO STREET ADDRESS: 17780 Arrow Blvd. MAILING ADDRESS: SAME CITY AND ZIP CODE: Fontana, CA 92335 BRANCH NAME: Fontana Probate Division		
ESTATE OF (Name): Noma McBean <div style="text-align: right;">DECEDENT</div>		
NOTICE OF PETITION TO ADMINISTER ESTATE OF (Name): NOMA McBEAN		CASE NUMBER: PROSB2300872

- 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):
NOMA McBEAN
- A **Petition for Probate** has been filed by (name of petitioner): Kevin McBean in the Superior Court of California, County of (specify): San Bernardino
- The **Petition for Probate** requests that (name): Kevin McBean 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: April 25, 2024 Time: 9:00 a.m. Dept.: F2 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): Chris Scarcella
 (Address): 250 W. First Street Suite 244
 Claremont, CA 91711
 (Telephone): (909) 529-3979

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.

Page 1 of 2

ESTATE OF (Name): Noma McBean	CASE NUMBER: PROSB2300872
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.
 2. My residence or business address is (specify): 250 W. First Street Suite 244
Claremont, CA 91711
 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: Feb. 12, 2024 b. Place mailed (city, state): Claremont, CA
 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: Feb. 12, 2024

Tracy White

(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.		
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.)



SERVICE LIST

Kevin McBean
600 Hunters Trail, Apt. 28
Glendora, CA 91740

Arnold McBean
208 S. 91 Ave.
Yakema, WA 98908

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 280213 NAME: Chris Scarcella FIRM NAME: C. S. Scarcella & Associates STREET ADDRESS: 250 W. First St. #244 CITY: Claremont STATE: CA ZIP CODE: 91711 TELEPHONE NO.: (909) 529-3979 FAX NO.: (877) 795-9845 E-MAIL ADDRESS: cs@scarcellaw.com ATTORNEY FOR (name): KEVIN McBEAN		FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <u>San Bernardino</u> STREET ADDRESS: <u>17780 Arrow Blvd.</u> MAILING ADDRESS: SAME CITY AND ZIP CODE: <u>Fontana, CA 92335</u> BRANCH NAME: Probate Division			
ESTATE OF (name): Noma McBean <u>AMENDED</u> DECEDENT			
PETITION FOR <input checked="" 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 <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: <u>PROSB2300872</u>	
		HEARING DATE AND TIME: <u>12-13-23 @ 9:00am</u>	DEPT.: <u>F2</u>

1. Publication will be in (specify name of newspaper): City News Group
 - a. ☐ Publication requested.
 - b. ☒ Publication to be arranged.
2. Petitioner (name each):
 Kevin McBean
 requests that
 - a. ☒ decedent's will and codicils, if any, be admitted to probate.
 - b. (name): Kevin McBean 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): February 7, 2004 at (place): 9330 Frankfort, Fontana, CA 92335
 - (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):
 9330 Frankfort, Fontana, CA 92335, San Bernardino County

ESTATE OF (name):

DECEDENT

CASE NUMBER:

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: \$ 453,900.00
- (5) (Less) Encumbrances: (\$ 0.00)
- (6) Net value of real property: \$ 453,900.00
- (7) Total (add (3) and (6)): \$ 453,900.00

- 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: Aug. 29, 1990 ☐ codicil dated (specify for each):
Last Will and Testament of Noma McBean
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):
Arnold McBean lives out-of-state.

☐ 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): Grandson
- (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):

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):	CASE NUMBER:
DECEDENT	

8. Name and relationship to decedent	Age	Address
Kevin McBean - Grandson	Adult	600 Hunters Trail, Apt. 28, Glendora, CA 91740
Arnold McBean - Son	Adult	208 S. 91 Ave., Yakema, WA 98908 (no issue)
Howard McBean - Son	Adult	Deceased (no issue)
Steven McBean - Son	Adult	(Deceased) issue - Kevin McBean
Gerald McBean - Son	Adult	Deceased (no issue)

☐ Continued on Attachment 8.

9. Number of pages attached: 0

Date: June 1, 2023

Chris Scarcella

(TYPE OR PRINT NAME OF ATTORNEY)



(SIGNATURE OF ATTORNEY) *

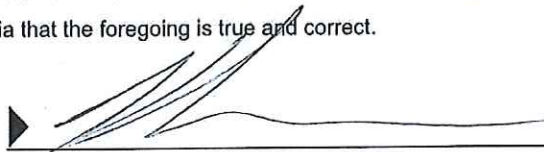
* (Signatures of all petitioners are also required. All petitioners must sign, but the petition may be verified by any one of them (Prob. Code, §§ 1020, 1021; Cal. Rules of Court, rule 7.103).)

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

Date: June 1, 2023

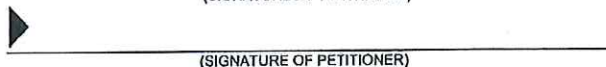
Kevin McBean

(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.

ATTACHMENT 3f(2)

LAST WILL AND TESTAMENT

OF

NOMA McBEAN

I, NOMA McBEAN , a resident of the County of San Bernardino, State of California, declare this to be my Last Will and Testament, and I hereby revoke all Wills and Codicils to Wills previously made by me.

FIRST: I declare that at the time of the execution of this Will, I am a widow. I have four children, namely, HOWARD B. McBEAN, of West Jordan, California; ARNOLD E. McBEAN, of Yacama, Washington; GERALD A. McBEAN, of Silver Springs, Nevada; and STEVEN R. McBEAN, of Fontana, California. I have no deceased children, nor issue of deceased children.

SECOND: I hereby give, devise and bequeath all of my estate, whether it be real or personal property, wherever situated to my son, STEVEN R. McBEAN, should he survive me, if not, then to my other three children, HOWARD B. McBEAN, ARNOLD E. McBEAN, and GERALD A. McBEAN, to share and share alike; should they survive me, if not, then to the survivors of said children, in equal shares.

THIRD: I have specifically, intentionally and with full knowledge of the consequences, disinherit and omit any provisions for any of my grandchildren in this Will.

FOURTH: If any beneficiary under this Will in any manner, directly or indirectly, contests or attacks this Will, or any of its provisions, any share or interest in my estate given

to that contesting beneficiary under this Will is revoked and shall be disposed of in the same manner provided herein as if that contesting beneficiary had predeceased me without issue.

FIFTH: I hereby nominate my son, STEVEN R. McBEAN, as Executor of this my Last Will and Testament, to serve without bond. If he shall for any reason fail to qualify or cease to act as Executor, I then nominate my son, ARNOLD E. McBEAN, as Executor, to serve without bond.

SIXTH: I authorize that my Executor shall be granted full authority to administer my estate under the Independent Administration of Estates Act.

IN WITNESS WHEREOF, I have signed my name to this my Last Will and Testament, on this 29 day of August, 1990, at Fontana, California.

Noma M^e Bean

NOMA McBEAN

On the date written below, NOMA McBEAN, declared to us, the undersigned, that this instrument, consisting of three pages, including the page signed by us as witnesses, was her Last Will and Testament and she requested us to act as witnesses to it. She thereupon signed this Will in our presence, all of us being present at the same time. We now, at her request, in her presence and in the presence of each other, subscribe our names as witnesses.

We declare that at the same time of signing this Will

the said testatrix appeared to be of sound and disposing mind and memory and not acting under duress, menace, fraud or the undue influence of any person whomsoever.

EXECUTED on this 29th day of August, 1990,
at Fontana, California. We declare under penalty
of perjury under the laws of the State of California that the
foregoing is true and correct.

Jacqueline Beccacio residing at 8056 ALDER
JACQUELINE BECCACIO FONTANA, CA 92336
Rita P. Mariscal residing at 4970 Holt Blvd
Rita P. Mariscal Montclair CA 91763

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