

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Nancy W. Andrus (State Bar # 180430) Andrus & Shields, Attorneys at Law, PC 17539 Vierra Canyon Rd Ste A PMB 115 Prunedale, CA 93907 TELEPHONE NO.: (760) 948-9000 FAX NO. (Optional): E-MAIL ADDRESS (Optional): nandrus@andrusandshieldsllaw.com ATTORNEY FOR (Name): Linda Diane Stockton, Petitioner	FOR COURT USE ONLY ELECTRONICALLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN BERNARDINO FONTANA DISTRICT 12/19/2024 5:06 PM By: Angeline Garcia, DEPUTY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO STREET ADDRESS: 17780 Arrow Blvd MAILING ADDRESS: 17780 Arrow Blvd CITY AND ZIP CODE: Fontana 92335 BRANCH NAME: Fontana	CASE NUMBER: <div style="font-size: 1.2em; font-weight: bold;">PROVA2400154</div> <div style="display: flex; justify-content: space-between;"> <div>HEARING DATE AND TIME: <div style="color: red; font-weight: bold;">02/25/25 9:00 AM F2</div></div> <div>DEPT.:</div> </div>
<input checked="" type="checkbox"/> ESTATE <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF (Name): LARRY VERNICE BROOKS <div style="display: flex; justify-content: space-around;"> <input checked="" type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR </div>	
REPORT OF SALE AND PETITION FOR ORDER CONFIRMING SALE OF REAL PROPERTY <input type="checkbox"/> and Sale of Other Property Sold as a Unit	

1. **Petitioner (name of each):** Linda Diane Stockton

is the ☒ personal representative ☐ conservator ☐ guardian of the estate of the decedent, conservatee, or minor
☐ purchaser (30 days have passed since the sale) (Attach supporting declaration (Prob. Code, § 10308(b).))

and **requests** a court order for (check all that apply):

- a. ☐ confirmation of sale of the estate's interest in the real property described in Attachment 2e
- b. ☐ confirmation of sale of the estate's interest in other property sold as a unit as described in Attachment 2c.
- c. ☒ approval of commission of (specify): 7 % of the amount of: \$359,000.00
- d. additional bond ☐ is fixed at: \$ ☐ is not required.

2. **Description of property sold**

- a. Interest sold: ☒ 100% ☐ Undivided (specify): %
- b. ☒ Improved ☐ Unimproved
- c. ☐ Real property sold as a unit with other property (describe in Attachment 2c).
- d. Street address and location (specify): Decedent's Residence (Condominium) located at 12584 Atwood Ct.
 #422, Rancho Cucamonga, San Bernardino County, California 91739.
 APN: 1089-571-11-0-000
- e. Legal description is affixed as Attachment 2e.

3. **Appraisal**

- a. Date of death of decedent or appointment of conservator or guardian (specify): October 10, 2023
- b. Appraised value at above date: \$325,000.00
- c. Reappraised value within one year before the hearing: \$ ☐ Amount includes value of other property sold as a unit. (If more than one year has elapsed from the date in item 3a to the date of the hearing, reappraisal is required.)
- d. Appraisal or reappraisal by probate referee ☒ has been filed ☒ will be filed ~ *Reappraisal for Sale*
☐ has been waived by order dated:

4. **Manner and terms of sale**

- a. Name of purchaser and manner of vesting title (specify): Facundo Ignacio Sirri
 a Married Man, as his sole and separate property
- b. ☐ Purchaser is the ☐ personal representative ☐ attorney for the personal representative.
- c. Sale was ☒ private ☐ public on (date): October 7, 2024
- d. Amount bid: \$ 359,000.00 Deposit: \$ 5,000.00
- e. Payment ☒ Cash ☒ Credit (specify terms on Attachment 4e.)
- f. ☒ Other terms of sale (specify terms on Attachment 4f.)
- g. ☐ Mode of sale specified in will. ☐ Petitioner requests relief from complying for the reasons stated in Attachment 4g.
- h. ☐ Terms comply with Probate Code section 2542 (guardianships and conservatorships).

<input checked="" type="checkbox"/> ESTATE <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF (Name): LARRY VERNICE BROOKS	CASE NUMBER: PROVA2400154
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5. Commission

- a. ☐ Sale without broker
- b. ☒ A written ☒ exclusive ☐ nonexclusive contract for commission was entered into with (name):
 Jo Ann Tidwell
- c. ☒ Purchaser was procured by (name):
 a licensed real estate broker who is not buying for his or her account.
- d. ☐ Commission is to be divided as follows:

6. Bond

- a. Amount before sale: \$325,000.00 ☐ none.
- b. Additional amount needed: \$ ☐ none.
- c. ☐ Proceeds are to be deposited in a blocked account. Receipts will be filed. (Specify institution and location):

7. Notice of sale

- a. ☒ Published ☐ Posted as permitted by Probate Code section 10301 (\$5,000 or less)
- b. ☐ Will authorizes sale of the property
- c. ☐ Will directs sale of the property

8. Notice of hearing

- a. Special devisee:
- (1) ☐ None.
- (2) ☐ Consent to be filed.
- (3) ☒ Written notice will be given.
- c. Personal representative, conservator of the estate, or guardian of the estate:
- (1) ☒ Petitioner (consent or notice not required).
- (2) ☐ Consent to be filed.
- (3) ☐ Written notice will be given.
- b. Special notice:
- (1) ☐ None requested.
- (2) ☐ Has been or will be waived.
- (3) ☒ Required written notice will be given.

9. Reason for sale (need not complete if item 7b or 7c checked)

- a. ☒ Necessary to pay
- (1) ☐ debts
- (2) ☒ devise
- (3) ☐ family allowance
- (4) ☒ expenses of administration
- (5) ☐ taxes

10. Formula for overbids

a. Original bid:	\$ <u>359,000.00</u>
b. 10% of first \$10,000 of original bid:	\$ <u>1,000.00</u>
c. 5% of (original bid minus \$10,000):	\$ <u>17,450.00</u>
d. Minimum overbid (a + b + c):	\$ <u>377,450.00</u>

- b. ☒ The sale is to the advantage of the estate and in the best interest of the interested persons.

11. Overbid. Required amount of first overbid (see item 10): \$ 377,450.00**12. Petitioner's efforts** to obtain the highest and best price reasonably attainable for the property were as follows

(specify activities taken to expose the property to the market, e.g., multiple listings, advertising, open houses, etc.):

Property was cleaned and improvements made where decedent's body had decomposed after death.

Property was listed on the MLS with enough time to allow offers to be made. The offer accepted was \$24,000 higher than the appraised value by the probate referee (after \$10,000 credit to seller deducted).

13. Number of pages attached: 3

Date: December 4, 2024

Nancy W. Andrus

(TYPE OR PRINT NAME OF ATTORNEY)



(SIGNATURE OF ATTORNEY*)

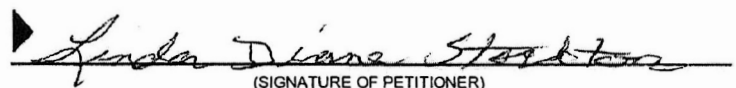
* (Signature of all petitioners also required (Prob. Code, § 1020).)

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

Date: December 4, 2024

Linda Diane Stockton

(TYPE OR PRINT NAME OF PETITIONER)



(SIGNATURE OF PETITIONER)

Attachments 1/3

Attachment 2e

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF RANCHO CUCAMONGA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

A CONDOMINIUM CONSISTING OF THE FOLLOWING:

PARCEL 1:

(a) A SEPARATE INTEREST IN UNIT 422, AS SHOWN ON THAT CERTAIN CONDOMINIUM PLAN ENTITLED CONDOMINIUM PLANS TRACT 13873 - LOT 1, RECORDED ON MAY 27, 1992, AS INSTRUMENT NO. 92-222307; AS AMENDED BY THAT CERTAIN FIRST AMENDMENT TO CONDOMINIUM PLAN - VICTORIA HEIGHTS, RECORDED FEBRUARY 21, 2006 AS INSTRUMENT NO. 2006-0118166; AND AS AMENDED BY THAT CERTAIN SECOND AMENDMENT TO CONDOMINIUM PLAN - VICTORIA HEIGHTS, RECORDED APRIL 20, 2006, AS INSTRUMENT NO. 2006-0268553, ALL IN THE OFFICE OF THE SAN BERNARDINO COUNTY RECORDER, CALIFORNIA (HEREINAFTER THE "CONDOMINIUM PLAN" OR "PLAN"), AND

(b) AN UNDIVIDED ONE-ONE-HUNDRED-TWENTY-FOURTH (1/24TH) FRACTIONAL INTEREST ("FRACTIONAL INTEREST") IN AND TO THE "UNDIVIDED INTEREST COMMON AREA" AS DESCRIBED IN THE PLAN AND THE DECLARATION DESCRIBED HEREINAFTER.

SAID UNIT AND FRACTIONAL INTEREST IS LOCATED WITHIN THE BOUNDARIES OF THAT CERTAIN REAL PROPERTY DESCRIBED AS:

LOT 1 OF TRACT NO. 13873, IN THE CITY OF RANCHO CUCAMONGA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 227, PAGES 15 THROUGH 17, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:

EXCLUSIVE USE AREAS THE EXCLUSIVE RIGHT TO THE USE, POSSESSION AND OCCUPANCY OF THOSE PORTIONS OF THE ASSOCIATION PROPERTY DEFINED IN THE DECLARATION DESCRIBED HEREINAFTER AND IN THE PLAN AS "EXCLUSIVE USE AREAS," BEARING THE SAME NUMERICAL DESIGNATION AS THE UNIT DESCRIBED IN PARCEL 1 ABOVE, WHICH SHALL BE APPURTENANT TO PARCEL 1 DESCRIBED ABOVE.

PARCEL 3:

Attachments 2/3

VEHICULAR SPACE EASEMENT(S) THE EXCLUSIVE RIGHT TO THE USE, POSSESSION AND OCCUPANCY OF THE FOLLOWING "VEHICULAR SPACES" AS AN "EXCLUSIVE EASEMENT" AS DEFINED, DESCRIBED AND OR SHOWN, AND SUBJECT TO THE ULIMITATIONS COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS IN DECLARATION AND/OR THE PLAN:

CARPORT 21 F #6

GARAGE N/A

WHICH VEHICULAR SPACE(S) SHALL BE ASSIGNED AND APPURTENANT TO PARCEL 1 DESCRIBED ABOVE. THE FOREGOING NOTWITHSTANDING, THE VEHICULAR SPACE EASEMENT(S) ASSIGNED HEREIN AS AN APPURTENANCE TO THE UNIT DESCRIBED IN PARCEL 1 MAY BE TRANSFERRED AND/OR REASSIGNED FROM SUCH UNIT, IN ACCORDANCE WITH THE PROVISIONS THEREFOR CONTAINED IN THE DECLARATION.

PARCEL 4:

NON-EXCLUSIVE EASEMENTS-ASSOCIATION PROPERTY NONEXCLUSIVE EASEMENTS ON, IN, OVER AND THROUGH THE ASSOCIATION PROPERTY AS DEFINED IN THE DECLARATION AND DEFINED AND IDENTIFIED IN THE PLAN, EXCEPTING THEREFROM ALL UNITS AND THE APPURTENANT EXCLUSIVE USE AREAS, FOR PURPOSES OF (a) EGRESS, ACCESS THROUGH, ON AND OVER THE VEHICULAR AND PEDESTRIAN ACCESS AREAS THEREIN, (b) ACCESS TO AND USE OF (INCLUDING ANY UTILITY OR RELATED LINE AND EQUIPMENT IN ORDER TO PROVIDE UTILITY OR RELATED SERVICES TO PARCELS 1, 2 AND 3 ABOVE; SUBJECT TO, HOWEVER, ANY RESTRICTIONS, LIMITATIONS AND CONDITIONS DESCRIBED IN THE DECLARATION, AND FURTHER EXCEPTING ANY PORTIONS OF THE ASSOCIATION PROPERTY OVER WHICH THE GRANTOR HEREIN, AS DECLARANT, MAY HAVE AN EASEMENT OR OTHER SIMILAR RESTRICTION, AS MAY BE PROVIDED IN THE DECLARATION. THE EASEMENTS GRANTED HEREIN SHALL BECOME EFFECTIVE UPON RECORDATION OF THIS DEED WITH THE SAN BERNARDINO COUNTY RECORDER, SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL 5:

ONE CLASS A MEMBERSHIP IN VICTORIA HEIGHTS MAINTENANCE ASSOCIATION, A CALIFORNIA NONPROFIT MUTUAL BENEFIT CORPORATION, HEREINAFTER CALLED THE "ASSOCIATION."

Attachments 3/3

Attachment 4e

Selling price is \$359,000.00 with the buyer putting down an initial deposit of \$5,000.00, with the balance of the down payment to be paid in cash of \$9,650.00, and the remainder to be paid with a loan in the amount of \$344,350.00, with a credit to the Seller in the amount of \$10,000.00.

Attachment 4f

Washer and dryer included in sale