

1 Alex Avakian, Esq.  
2 Glendale, CA  
3 Los Angeles Probate Attorney  
4 (785) 428-2542

5 Attorney for Petitioner,  
6 Client

7 SUPERIOR COURT OF CALIFORNIA  
8 COUNTY OF LOS ANGELES

9 In the matter of:

Case No. BP 999 9999

10 THE ESTATE OF  
11 DECEDENT

PETITION FOR THE TERMINATION  
12 OF FURTHER PROCEEDINGS AND  
13 FOR DISCHARGE OF THE PERSONAL  
14 REPRESENTATIVE AND FOR AN  
15 ORDER

16 Deceased.

PC 12251

17  
18  
19 Client, as Administrator of the estate of Decedent, deceased,  
20 now presents her Petition for the Termination of Further  
21 Proceedings and for Discharge of the Personal Representative and  
22 for an Order, as it appears there is no property of any kind  
23 belonging to the estate and subject to administration. The facts  
24 are presented as follows:  
25  
26  
27  
28

1           1. The decedent died on May 10, 2011, a resident of Los  
2 Angeles County, California.

3           2. Letters for Administration were granted on June 30, 2011  
4 naming the Petitioner as Personal Representative of the estate.  
5 Both Letters and the Personal Representative remain in good  
6 standing.  
7

8           3. Petitioner is the decedent's sister and only beneficiary.

9           4. The sole asset of the estate was a 60% ownership interest  
10 in real property located in Los Angeles, California.  
11

12           5. Special Letters of Administration were issued on June 3,  
13 2011, with strict orders allowing Petitioner to sell the real  
14 property with the proceeds remaining in escrow with the escrow  
15 company until an order from the probate court was issued  
16 instructing release of said funds.  
17

18           6. Upon the sale of the real property, and after deducting  
19 escrow fees, a net of \$80,835.03 remained in escrow by the  
20 escrow company.  
21

22           7. An Inventory and Appraisal was filed on July 27, 2011  
23 listing the escrow account as the sole asset, valued at  
24 \$80,835.03.

25           8. Petitioner then filed a Petition for Preliminary  
26 Distribution on August 5, 2011.

27           9. Upon review and before the Preliminary Distribution  
28

1 Hearing Date, the Probate Notes by the Probate Referee suggested  
2 that instead of a Preliminary Distribution, Petitioner should  
3 utilize a California Probate Code 13100 (Small Estate Affidavit)  
4 procedure to collect funds from the Escrow Company and then file  
5 a petition to terminate further proceedings under California  
6 Probate Code 12251.

8 10. Petitioner then petitioned the court for approval of  
9 actions in utilizing a Small Estate Affidavit to recover funds  
10 from the Escrow Company. This Court approved the Petitioner's  
11 actions and granted an Order to the same effect.

13 11. Upon the Order, the Escrow Company released the funds to  
14 the sole heir, the Petitioner, using a Small Estate Affidavit.

16 12. At this time, no property of any kind belongs to the  
17 estate as the 60% ownership in the real property was the only  
18 known asset. Thus, no property is subject to administration.

19 13. As the 60% interest in real estate was the sole asset of  
20 an estate that is now over 11 years old with no creditors and  
21 one beneficiary, the Personal Representative, Petitioner  
22 believes that filing this Petition for Termination is the most  
23 efficient and appropriate manner in which to conclude this  
24 probate.

26 14. Petitioner knows of no opposition to this petition.

1 WHEREFORE, Petitioner prays for an Order of this court as  
2 follows:

- 3 1. For an Order terminating the probate proceeding,
  - 4 2. For an Order discharging the Personal Representative,
  - 5 3. And for such other relief as the court deems proper.
- 6  
7  
8

9 \_\_\_\_\_  
Dated

10  
11  
12 \_\_\_\_\_  
Signature of Attorney for Personal Representative

13  
14  
15 VERIFICATION

16  
17 I am the Petitioner in this action. I have read the foregoing  
18 petition and it is true of my own knowledge, except as to those  
19 matters stated on information or belief, and as to those  
20 matters, I believe it to be true. I declare under penalty of  
perjury under the laws of the State of California that the  
foregoing is true and correct.

21  
22  
23 \_\_\_\_\_  
Date and place of execution

24  
25  
26  
27  
28 \_\_\_\_\_  
Signature of Personal Representative