

Beverly J. Smith, State Bar No. 154409 Monica Dell'Osso, State Bar No. 103105 2 **BURNHAM BROWN** A Professional Law Corporation 3 P.O. Box 119 Oakland, California 94604 4 1901 Harrison Street, 14th Floor 5 MAR 0 4 2016 Oakland, California 94612 Telephone: (510) 444-6800 Facsimile: (510) 835-6666 CLERK OF THE SUPERIOR COURT 6 7 Attorneys for Successor Trustee Alan J. Statman 8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA **UNLIMITED JURISDICTION** 10 In Re No. RP05216435 11 12 THE ANANIAS WILLIS TRUST NOTICE OF ENTRY OF ORDER **CONFIRMING SALE OF REAL** dated January 15, 1997 **PROPERTY** 13 14 15 16 17 PLEASE TAKE NOTICE that the attached ORDER CONFIRMING SALE OF REAL 18 PROPERTY was filed and entered by the Court on February 29, 2016. 19 DATED: February 29, 2016 **BURNHAM BROWN** 20 21 22 23 Attorneys for Successor Trustee Alan J. Statman 24 25 26 4822-1327-6974, v.. 1 27

NOTICE OF ENTRY OF ORDER SETTLING SECOND ACCOUNT AND REPORT OF TRUSTEE AND FOR ALLOWANCE OF COMPENSATION TO ATTORNEY

28

Case No. P45210

DE-265/GC-065 ATTORNEY OR PARTY WITHOUT ATTORNEY (name, address, and State Bar number) After recording return to: Monica Dell'Osso, SBN 103105 Beverly J. Smith, SBN 154409 Burnham Brown 1901 Harrison Street, 14th Floor, Oakland, CA 94612 TEL NO.: (510)444-6800 FAX NO. (optional): (510)835-6666 E-MAIL ADDRESS (optional): bsmith@burnhambrown.com ATTORNEY FOR (name): Alan J. Statman superior court of california, county of Alameda STREET ADDRESS: 2120 Martin Luther King Jr. MAILING ADDRESS: CITY AND ZIP CODE: Berkeley, CA 94707 BRANCH NAME: FOR RECORDER'S USE ONLY **ESTATE OF** CONSERVATORSHIP OF (name): Ananias Willis Revocable Trust **GUARDIANSHIP OF** DECEDENT CASE NUMBER: ORDER CONFIRMING SALE OF REAL PROPERTY RP05-216435 and Confirming Sale of Other Property as a Unit FOR COURT USE ONLY 1. Hearing date: February 29, 2015 Rm.: Time: 10:00 a.m. Dept.: 201 THE COURT FINDS ENDORSED 2. All notices required by law were given and, if required, proof of notice of sale was made ALAMEDA COUNT 3. a. Sale was authorized or directed by the will Trust. FEB 2 9 2016 b. Good reason existed for the sale of the property commonly described as (street address or location): CLERK OF THE SUPERIOR COURT 979 - 7th Street, Oakland, California R.GERARDO E. GUERRERO 4. The sale was legally made and fairly conducted. 5. The confirmed sale price is not disproportionate to the value of the property. Private sale: The amount bid is 90% or more of the appraised value of the property as appraised within one year of the date 7. An offer exceeding the amount bid by the statutory percentages was obtained in open court. The offer complies with all applicable law. 8. The personal representative / successor Trustee guardian of the estate of the decedent, conservatee, or minor has made reasonable efforts to obtain the highest and best price reasonably attainable for the property. THE COURT ORDERS The sale of the real property legally described in item 15 on page 2 on Attachment 9 and other property sold as a unit described in item 15 on page 2 on Attachment 9 is confirmed to (name): (manner of vesting title): AJH Property, LLC (assignee of H&H Property, LLC) for the sale price of: \$750,000 650,000 on the following terms (use item 15 on page 2 or Attachment 9 if necessary): Continued in item 15 on page 2. Continued on Attachment 9. personal representative conservator guardian of the estate of the decedent, conservatee, or minor (name): Alan J. Statmen, Successor Trustee is directed to execute and deliver a conveyance of the estate's interest in the real property described in item 9 and other property described in item 9 sold as a unit upon receipt of the consideration for the sale.

Page 1 of 2

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(name): Ananias Wil	llis Revocable Trust		RP05-2	16435		
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		eposited by escrow holder in a block	ed account to be with	ndrawn only o	on court order	by law.
Receipts	must be filed. (Spec	ify institution and location):	•			• • •
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	nission is payable.		**	34		
to be pai	d as follows (specify)	eds of the sale is approved in the an : \$22,500 to Coldwell Banker, Gary	nount of: \$ 4 <del>5,</del> 000- Robinson: \$22,500 to	39,000 . Citrino Advir	core Poè Mei	antoin
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<i>'</i>	[SEAL]			
			CLERK'S CERTIFICATE	
. :		I certify that the foregoing C description of real or person office.	order Confirming Sale of Real Proper nal property, is a true and correct cop	ty, including any attached by of the original on file in my
· · ·				
		Date:	CLERK, by	, Deputy

ORDER CONFIRMING SALE OF REAL PROPERTY (Probate—Decedents' Estates and Guardianships and Conservatorships)

Page 2 of 2

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# ORDER CONFIRMING SALE OF REAL PROPERTY

#### Attachment 9

### Legal Description:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERN LINE OF RAILROAD AVENUE, OR 7TH STREET, WITH THE EASTERN LINE OF FILBERT STREET, AS SAID STREET AND AVENUE ARE SHOWN ON THE MAP HEREINAFTER REFERRED TO, RUNNING THENCE EASTERLY ALONG SAID LINE OF RAILROAD AVENUE, OR 7TH STREET, 100 FEET; THENCE SOUTHERLY PARALLEL WITH SAID LINE OF FILBERT STREET, 95 FEET, 9-3/4 INCHES; THENCE WESTERLY PARALLEL WITH SAID LINE OF FILBERT STREET; AND THENCE NORTHERLY ALONG SAID LINE OF FILBERT STREET, 95 FEET, 9-3/4 INCHES TO THE POINT OF BEGINNING.

BEING A PORTION OF BLOCK "N", AS SAID BLOCK IS SHOWN ON THE "MAP OF MARKET ST. TRACT, OAKLAND, SURVEYED JANUARY 9, 1868, W. F. BOARDMAN, CITY ENGINEER", FILED FEBRUARY 22, 1868, IN BOOK 3 OF MAPS, PAGE 23, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

A.P. NO. 004-0005-002

## Other Terms of Sale:

1. Alan J. Statman, Successor Trustee of the Ananias Willis-Revocable Trust dated January 15, 1987 ("Seller") will carry back \$300,000 of the purchase price at 5% interest only per annum, with interest payment due monthly (\$1,250). Principal balance of \$300,000 due at the end of three (3) years or the installation of a complete remediation system (subject only to further monitoring) whichever comes first. Note to be secured by a deed of trust recorded against the property. Said financing is subject to Seller's receipt and acceptance of Buyer's current financial and net worth statement and approval of a credit report.

W udse

- 2. Buyer shall complete all environmental remediation required by the applicable government agencies. Buyer shall indemnify and hold the Successor Trustee and the Trust beneficiaries and their agents, harmless from all environmental costs and expenses relating to the property.
  - 3. Seller shall pay the county transfer tax.
  - 4. Buyer and Seller shall split the city transfer tax 50/50.
  - 5. Buyer shall pay sewer lateral upgrade, if required.
  - 6. Buyer shall pay title insurance.
  - 7. Buyer shall pay escrow fees.
- 8. The close of escrow shall be within the first week of January 2016 or as soon-possible thereafter at the discretion of seller.
  - 9. Buyer shall pay smoke alarm, CO2, water heater brace, if required.
  - 10. The property is being sold in its current as-is condition.

fully sider

4815-8057-9115, v. 1

Re:

Ananias Willis Trust dated January 15, 1997

Court:

Alameda County Superior Court

Action No:

RP05-216435

#### PROOF OF SERVICE

I declare that I am over the age of 18, not a party to the above-entitled action, and am an employee of Burnham Brown whose business address is 1901 Harrison Street, 14<sup>th</sup> Floor, Oakland, Alameda County, California 94612 (mailing address: Post Office Box 119, Oakland, California 94604).

On February 29, 2016, I served the following document(s) in the following manner(s):

DECLARATION OF SUCCESSOR TRUSTEE
DECLARATION BEVERLY J. SMITH REGARDING FINANCIAL RECORDS
NOTICE OF ENTRY OF ORDER CONFIRMING SALE OF REAL PROPERTY

MAIL: By placing the document(s) listed above in a sealed envelope with postage thereon on the date and place shown below following ordinary business practice. I am familiar with this business' practice for collecting and processing documents for mailing. On the same day that documents are 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.

Alhussein Mohsen

H & H Properties

2625 Alcatraz Avenue, No. 118

Berkeley, CA 94705

Ben Weinstein

Citrine Advisors

425 – 15th Street

Oakland, CA 94612

Gary and Noni Robinson

Coldwell Banker

6137 LaSalle Avenue

Oakland, CA 94611

Michael R. Dougherty

Attorney at Law

405 14th Street, Suite 217

Oakland, CA 94612

Chaune Williams

Attorney at Law

1300 Clay Street, Suite 600

Oakland, CA 94612

James A. Bryant, II

Law Office of James A. Bryant

4929 Wilshire Boulevard, Suite 1040

Los Angeles, CA 90010

W. Lance Russum

Law Offices of W. Lance Russum

2500 Santa Clara Avenue

Alameda, CA 94501

Debra J. Dolch

167 South Park

San Francisco, CA 94102

Ernest F. Der

Skootsky & Der, LLP

90 New Montgomery Street, Suite 905

San Francisco, CA 94105

Thomas C. Tagliarini

Law Offices of Thomas C. Tagliarini

2200 Powell Street, Suite 1125

Emeryville, CA 94608

Barbara Jewell Gagen, McCoy, McMahon et al. P.O. Box 218 Danville, CA 94526

Maxine Ussery 1510 Eddy Street, No. H1202 San Francisco, CA 94115

Raymond Willis 1430 Chestnut Street Oakland, CA 94607

Shawn Willis 4361 Oak Manor Drive, NW Acworth, GA 30101

Shirley Ann Ford 4501 Mattis Court Oakland, CA 94619 Deborah Robinson 5004 Apache Court Antioch, CA 94531

Derek Hill 105 Wilbur Avenue, No. 16 Antioch, CA 94509

Carla Davis 4809 Bridle Court Antioch, CA 94531

Reginald McKinnely 8828 Thermal Street Oakland, CA 94605

Shillesa Ninnis 2936 Polk Street, Suite 1 San Francisco, CA 94109

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

DATE: February 29, 2016

Beverley Dunivan

4846-4925-0350, v. 1