

1 \_\_ (NAME) \_\_, Attorney at Law  
2 SB# \_\_\_\_\_  
3 \_\_ (Address) \_\_  
4 \_\_ (City) \_\_, California Zip  
5 \_\_ (phone number) \_\_

6 Attorney for Petitioner

7  
8  
9 **COURTS OF CALIFORNIA**  
10 **COUNTY OF \_ (NAME) \_, STATE OF CALIFORNIA**  
11

12 Estate of:  
13 (Name),

14 Deceased.

No. \_\_ (Case No.) \_\_

15 ORDER SETTLING FIRST AND  
16 FINAL ACCOUNT and  
17 REPORT OF EXECUTOR  
18 ALLOWING COMPENSATION  
19 FOR ORDINARY SERVICES; and  
20 ORDER FOR FINAL  
21 DISTRIBUTION

22 \_\_\_\_\_ /

23 \_\_ (Name) \_\_ as executor of the estate of \_\_ (Name) \_\_, deceased, having filed the  
24 first and final account, report, and petition for its settlement and for final distribution, and  
25 the account, report, and petition coming on this \_\_ (Date) \_\_ th day of \_\_ (Month) \_\_, 2005,  
26 regularly for hearing in Courtroom \_\_ (Number) \_\_, the court finds:

27 **FINDINGS**

28 Notice of the hearing of petition has been given to the persons for the period and  
in the manner prescribed by law.

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ORDER SETTLING FIRST AND FINAL ACCOUNT and  
REPORT OF EXECUTOR ALLOWING COMPENSATION FOR ORDINARY SERVICES; and  
ORDER FOR FINAL DISTRIBUTION

1 All acts and transactions of the estate of \_\_ (Name) \_\_, deceased, during the  
2 period of the account and report are truly shown and should be approved, and all  
3 allegations of the report and petitions are true.  
4

5 The account is true and correct and should be settled, allowed, and approved as  
6 filed.

7 All allegations of the report and petition filed on \_\_ (Date) \_\_ are true.

8 \_\_ (Name) \_\_ died on \_\_ (Date of death) \_\_ in \_\_ (Name) \_\_ County, \_\_ (State) \_\_,  
9 and was at the time of death a resident of that county.

10 On \_\_ (Date order signed by court) \_\_, \_\_ (Name) \_\_ was appointed executor of  
11 the decedent's estate and qualified as such on that date. Since then he has been and  
12 now is the executor of the estate.

13 On \_\_ (Date order signed) \_\_, \_\_ (Name) \_\_ was granted authority to administer  
14 the estate without court supervision under the Independent Administration of Estates  
15 Act. This authority has not been revoked.

16 The estate is now in a condition to be closed.

17 Notice of petition to administer estate has been published for the period and in  
18 the manner prescribed by law, and an affidavit showing due publication was filed with  
19 the clerk of this court. There were no reasonably ascertainable creditors to be served  
20 with a notice of administration. Letters testamentary were issued on \_\_ (Date) \_\_. The  
21 time for filing claims has expired as to all creditors.

22 No claims have been filed with the court.

23 All debts of the decedent and of the estate and all expenses of administration  
24 have been paid, except closing expenses and commissions of petitioner as executor  
25 and fees of \_\_ (Name) \_\_, his attorney.

26 A federal estate tax return and a California estate tax return will be required but  
27

1 have not yet been filed. The federal estate tax due is estimated to be \$0.00. The  
2 California estate tax is estimated to be \$0.00.

3 No California or federal income taxes are due or payable by the estate.

4 There are no personal property taxes due or payable by the estate. All personal  
5 property taxes due or payable by the estate have been paid.

6 The estate consists entirely of the separate property of the decedent.

7 Distribution should be ordered as specified below.

8 Statutory compensation is \$ \_\_ (Amount) \_\_.

9 Attorneys' compensation of \$ \_\_ (Amount) \_\_ is reasonable compensation for  
10 legal services rendered.

11 The estimated expenses of closing the estate, including the reserve for payment  
12 of any liability that may hereafter be determined to be due from the estate are \$500.00,  
13 and the executor should be authorized to withhold that sum from distribution.  
14

15  
16 **ORDER**

17 The executor has in possession belonging to the estate, after deducting credits to  
18 which he is entitled, a balance at the appraised value of \$ \_\_ (Amount) \_\_, of which  
19 \$ \_\_ (Amount) \_\_ is in cash. The first, final account, petition, and report of the executor is  
20 settled, allowed, and approved as filed.

21 All acts and transactions of the executor relating to the matters set forth in the  
22 account, report and petition are confirmed and approved.

23 The executor is authorized to retain \$500.00 from distribution at this time to  
24 defray closing expenses and as a reserve for additional liabilities and, and any  
25 unexpected portion of such reserve for closing expenses, and additional liabilities  
26 should be distributed to without further order of this court.  
27

1 The executor is authorized and directed to pay to himself \$ \_\_ (Amount) \_\_ as  
2 statutory compensation for services rendered in administering the estate.

3 The executor is authorized and directed to pay Cheryl Bender his attorney  
4 \$ \_\_ (Amount) \_\_ as statutory compensation for expenses rendered to this estate.  
5

6 The estate in the possession of the remaining for distribution shall be distributed  
7 to the following beneficiaries of the estate as follows:

<u>Distributee</u>	<u>Distributive Share</u>
(Name)	\$ __ (Amount) __
(Name)	House and real property located at (address), (City), California, A.P. Number _____, including the household furniture and furnishings contained therein.
(Name)	\$ __ (Amount) __

15 Any other property of the estate or in which the decedent or the estate may have  
16 any interest shall be distributed as follows:

<u>Distributee</u>	<u>Distributive Share</u>
(Name)	Fifty percent (50%)
(Name)	Twenty-five percent (25%)
(Name)	Twenty-five percent (25%)

23 The Court hereby approves this order.

24 Dated: \_\_\_\_\_  
25

26 \_\_\_\_\_  
27 Judge of the Court