

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 321321 NAME: Ashlee M. Hellman FIRM NAME: Spaulding McCullough & Tansil LLP STREET ADDRESS: 90 South E Street, Suite 200 CITY: Santa Rosa STATE: CA ZIP CODE: 95404 TELEPHONE NO.: (707) 524-1900 FAX NO.: (707) 524-1906 E-MAIL ADDRESS: hellman@smlaw.com ATTORNEY FOR (name): Molly D. Meeker, Petitioner	FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California County of Sonoma 7/18/2022 4:07 PM By: Irena Luft, Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA STREET ADDRESS: 3055 Cleveland Avenue MAILING ADDRESS: CITY AND ZIP CODE: Santa Rosa 95403 BRANCH NAME: Probate	
ESTATE OF (name): Charles R. Meeker, III <div style="text-align: right;">DECEDENT</div>	
PETITION FOR <input checked="" type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters Testamentary <input type="checkbox"/> Probate of <input type="checkbox"/> Lost Will and for Letters of Administration with Will Annexed <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: SPR096835	
HEARING DATE AND TIME: 08/19/2022 9:30 a.m. DEPT.: 23	

1. Publication will be in (specify name of newspaper): Press Democrat
 a. Publication requested.
 b. Publication to be arranged.
2. Petitioner (name each): Molly D. Meeker

requests that

- a. decedent's will and codicils, if any, be admitted to probate.
 b. (name): Molly D. Meeker 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 18, 2021 at (place): 30 Mark West Springs Road, Santa Rosa, CA 95403
 (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):
 5377 Dry Creek Road
 Healdsburg, Sonoma County

ESTATE OF (name): Charles R. Meeker, III	CASE NUMBER: SPR096835
DECEDENT	

3. d. **Character and estimated value of the property of the estate** (complete in all cases):

- (1) Personal property: \$ 1,000,000.00
- (2) Annual gross income from
 - (a) real property: \$
 - (b) personal property: \$
- (3) **Subtotal** (add (1) and (2)): \$ 1,000,000.00
- (4) Gross fair market value of real property: \$
- (5) (Less) Encumbrances: (\$ _____)
- (6) Net value of real property: \$ 0.00
- (7) **Total** (add (3) and (6)): \$ 1,000,000.00

- 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: 1/27/2021 codicil dated (specify for each):

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):

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):
- (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): Charles R. Meeker, III

DECEDENT

CASE NUMBER:

SPR096835

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): Charles R. Meeker, III	DECEDENT	CASE NUMBER: SPR096835
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8.	Name and relationship to decedent	Age	Address
	Molly D. Meeker, Spouse, Trustee, trust beneficiary, proposed Executor	69	5377 Dry Creek Road, Healdsburg, CA 95448
	Melissa Y. Meeker, child	56	Deceased
	Kelly K. Meeker, child, trust beneficiary	40	2741 Allison Court, Bozeman, MT 59718
	Lucas J. Meeker, child, trust beneficiary	36	5016 King Place, Rohnert Park, CA 94928
	Doris M. Meeker, child	16	Deceased
	Kai Harnett, grandchild	17	620 Abbey Ln, Prosper, TX 75078
	Delaney Harnett, granchild	21	2535 Piedmont Ave, Berkeley CA 94704
	Madison Harnett, grandchild	24	1718 19th ST Northwest, Washington DC 20009

Continued on Attachment 8.

9. Number of pages attached: 12

Date: 7/18/22

Ashlee M. Hellman

(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: 7/18/22

Molly D. Meeker

(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 OF CHARLES R. MEEKER, III

I, CHARLES R. MEEKER, III, a resident of Sonoma County, California, declare that this is my Will. I hereby revoke all of my previous Wills and Codicils.

ARTICLE ONE. INTRODUCTORY PROVISIONS

1.1 Marital Status

I am married to MOLLY D. MEEKER, and all references in this Will to “my spouse” are to her.

1.2 Identification of Living Children

I have three (3) living children as follows:

<u>Name</u>	<u>Date of Birth</u>
MELISSA Y. MEEKER HARNETT	January 19, 1966
KELLY K. MEEKER	July 14, 1981
LUCAS J. MEEKER	June 28, 1985

1.3 Deceased Children

I have one (1) deceased child, whose name is DORIS M. MEEKER.

1.4 Definitions of Child, Children, and Issue

As used in this instrument, the terms “child” and “children” refer to natural children and children who have been legally adopted during minority by the parent or parents from or through whom their right to inherit or to take is determined or derived, and the term “issue” refers to all lineal descendants of all generations, with the relationship of parent and child at each generation being determined by the definitions of “child” and “children” set forth in this instrument.

However, it is my intention to exclude MELISSA Y. MEEKER HARNETT from the definitions

of “child” and “children” and to exclude from the definition of “issue” any issue of MELISSA Y. MEEKER HARNETT.

1.5 No Contract Affecting Will

I have not entered into any contract to make a Will or a testamentary gift, to not revoke a Will or a testamentary gift, or to die intestate.

ARTICLE TWO. GIFT OF ENTIRE ESTATE

2.1 Gift of Entire Estate

I give all of my property to the Trustee of the MEEKER 2009 FAMILY TRUST, created under declaration of trust as amended and restated in its entirety earlier on the same date as the execution of this Will, by CHARLES R. MEEKER, III and MOLLY D. MEEKER as Trustors, and MOLLY D. MEEKER as Trustee. Said property shall be added to the trust principal and shall be held, administered, and distributed in accordance with the provisions of that trust instrument, including any amendments and restatements of that trust instrument that have been made before or after execution of this Will.

2.2 Alternative Disposition

If the MEEKER 2009 FAMILY TRUST has been revoked, terminated, or declared invalid for any reason, I give the residue of my estate to my Executor of this Will, as Trustee, who shall hold, administer, and distribute the property under a testamentary trust, the terms of which shall be identical to the terms of the MEEKER 2009 FAMILY TRUST that are in effect at the time of execution of this Will or such later date on which this Will is republished.

ARTICLE THREE. EXECUTOR

3.1 Nomination of Executor

I nominate my spouse, MOLLY D. MEEKER, as Executor of this Will. If the office of Executor becomes vacant, by reason of death, incapacity, or any other reason, I nominate my

daughter, KELLY K. MEEKER, and my son, LUCAS J. MEEKER, as Co-Executors. If at any time only one of the successor Executors named herein is able and willing to serve as successor Executor, he or she shall act as sole successor Executor. If all those named herein are unable (by reason of death, incapacity, or any other reason) or unwilling to serve as Executor, a new Executor or set of Co-Executors shall be nominated by the Trustee of the MEEKER 2009 FAMILY TRUST. If no valid nomination is made under any of the preceding provisions of this section or any other provision of this Will, a new Executor or set of Co-Executors shall be appointed by the court.

3.2 Waiver of Bond

No bond or undertaking shall be required of any Executor nominated in this Will.

3.3 General Powers of Executor

My Executor shall have full authority to administer my estate under the California Independent Administration of Estates Act. My Executor shall have all powers now or hereafter conferred on Executors by law, except as otherwise specifically provided in this Will, including any powers enumerated in this Will.

3.4 Additional Powers

In addition to the powers granted to my Executor hereinafter in this Article, I authorize my Executor, without limitation, to exercise all of the powers granted pursuant to the trust instrument referred to in this Will as it presently exists to the Trustee of each trust created pursuant to said trust instrument to the extent such powers are applicable to the administration of my estate.

3.5 Power to Invest

My Executor shall have the power to invest estate funds in any kind of real or personal property, as my Executor deems advisable.

3.6 Division or Distribution in Cash or in Kind

In order to satisfy a pecuniary gift or to distribute or divide estate assets into shares or partial shares, my Executor may distribute or divide those assets in kind, or divide undivided interests in those assets, or sell all or any part of those assets and distribute or divide the property in cash, in kind, or partly in cash and partly in kind. Property distributed to satisfy a pecuniary gift under this Will shall be valued at its fair market value at the time of distribution. This section shall apply only to the extent that it does not conflict with the provisions of the MEEKER 2009 FAMILY TRUST.

3.7 Tax Powers

My Executor shall have the power, in my Executor's sole discretion, to do any or all of the following acts:

- (a) to elect the alternate valuation date if an estate tax return is filed;
- (b) to apply for any deferrals available to the estate under the federal estate tax law for the payment of estate taxes;
- (c) to elect any item either as an income or estate tax deduction for any tax reporting purpose;
- (d) to determine when a particular item will be deducted or reported as income.

In addition, my Executor shall have the discretion to file a federal estate tax return for me and to elect on such return that my surviving spouse may take into account my potentially available Deceased Spousal Unused Exclusion Amount ("DSUEA"). If my Executor elects not to file a federal estate tax return for this purpose, my surviving spouse may compel said Executor to file such estate tax return to claim the DSUEA; provided, however, that my Executor may only be compelled to file such return if my surviving spouse bears the cost of filing said estate tax return. No person adversely affected by any of these choices is entitled to any

reimbursement or adjustment, and my Executor shall not be required to make any adjustment between income and principal or in the amount of any property passing to any beneficiary as a result of any election under this provision. The preceding sentence is applicable in all events, including when my Executor shall exercise any discretion my Executor may hold to allocate the benefits of such actions or elections among the various beneficiaries, even if the consequence of such actions or elections is to directly or indirectly prefer one beneficiary or group of beneficiaries over others.

3.8 Power to Sell, Lease, and Grant Options to Purchase Property

My Executor shall have the power to sell, at either public or private sale and with or without notice, lease, and grant options to purchase any real or personal property belonging to my estate, on such terms and conditions as my Executor determines to be in the best interest of my estate.

3.9 Payments to Legally Incapacitated Persons

If at any time any beneficiary under this Will is a minor, or it appears to my Executor that any beneficiary is incapacitated, incompetent, or for any other reason not able to receive payments or make intelligent or responsible use of the payments, then my Executor, in lieu of making direct payments to the beneficiary, may make payments to the beneficiary's conservator or Guardian; to the beneficiary's custodian under the Uniform Gifts to Minors Act or Uniform Transfers to Minors Act of any state; to the beneficiary's custodian under the California Uniform Transfers to Minors Act until the beneficiary reaches the age of twenty-five (25) years; to one or more suitable persons as my Executor deems proper, such as a relative or a person residing with the beneficiary, to be used for the beneficiary's benefit; to any other person, firm, or agency for services rendered or to be rendered for the beneficiary's assistance or benefit; or to accounts in the beneficiary's name with financial institutions. If there is no custodian then serving or

nominated to serve by the testator for a beneficiary, the personal representative or Executor, as the case may be, shall designate the custodian. The receipt of payments by any of the foregoing shall constitute a sufficient acquittance of my Executor for all purposes.

ARTICLE FOUR. CONCLUDING PROVISIONS

4.1 Definition of Death Taxes

The term “death taxes,” as used in this Will, shall mean all inheritance, estate, succession, and other similar taxes that are payable by any person on account of that person’s interest in my estate or by reason of my death, including penalties and interest, but excluding the following:

- (a) Any additional tax that may be assessed under Internal Revenue Code Section 2032A.
- (b) Any federal or state tax imposed on a “generation-skipping transfer,” as that term is defined in the federal tax laws, unless the applicable tax statutes provide that the generation-skipping transfer tax on that transfer is payable directly out of the assets of my gross estate.

4.2 Payment of Death Taxes

Pursuant to the trust instrument referred to in this Will, all death taxes, whether or not attributable to property inventoried in my probate estate, shall be paid by the Trustee from that trust. If that trust does not exist at the time of my death, or if the assets of that trust are insufficient to pay the death taxes in full, I direct my Executor to pay any death taxes, whether or not attributable to property inventoried in my probate estate, that cannot be paid by the Trustee, by prorating and apportioning those taxes among the persons interested in my estate, as provided in the California Probate Code; however, any death taxes attributable to any property passing to my spouse under this Will or otherwise that qualifies for the federal estate tax marital deduction shall be paid pro rata out of property passing under this Will or otherwise that does not qualify for the federal estate tax marital deduction, so that the property qualifying for the federal estate tax marital deduction shall pass to my spouse free of any death taxes.

4.3 Simultaneous Death

If any beneficiary under this Will and I die simultaneously, or if it cannot be established by clear and convincing evidence whether that beneficiary or I died first, I shall be deemed to have survived that beneficiary, and this Will shall be construed accordingly.

4.4 Survivorship Requirement

For purposes of this Will, a beneficiary shall not be deemed to have survived me if that beneficiary dies within sixty days after my death.

4.5 No-Contest Clause

If any devisee, legatee or beneficiary under this Will or any of my legal heirs, or person claiming under any of them, shall contest this Will or any other document forming a part of my integrated estate plan in existence on the date of execution of this Will (including, but not by way of limitation, any trust instrument, any amendment to any trust or Codicil to any Will, any document designating a beneficiary of any insurance policy, annuity, bank account, brokerage account or retirement plan account, or any amendment or modification of any of them), or directly or indirectly does any of the following acts, then the right of that person to take any interest given to him or her by this Will or by any other such document forming a part of my integrated estate plan shall be void, and any gift or other interest thereunder to which the person would otherwise have been entitled shall pass as if he or she had predeceased me:

- (a) Without probable cause challenges the validity of this instrument or any other instrument described hereinabove on any of the following grounds:
 - (i) Forgery;
 - (ii) Lack of due execution;
 - (iii) Lack of capacity;
 - (iv) Menace, duress, fraud, or undue influence;
 - (v) Revocation pursuant to the terms of this Will or applicable law;

- (vi) Disqualification of a beneficiary under California Probate Code Section 6112 or 21380 or applicable successor statutes.
- (b) Without probable cause files any creditor's claim or prosecutes any action against my estate, the trust(s) created pursuant to any trust described hereinabove for any debt alleged to be owed by me.
- (c) Without probable cause files a pleading to challenge the transfer of property under this Will, any trust described hereinabove on the grounds that it was not my property at the time of the transfer.

4.6 Disinheritance

Except as otherwise provided in this Will, I have intentionally and with full knowledge omitted to provide for my heirs. Specifically, the Trustors have intentionally and with full knowledge omitted to provide for MELISSA Y. MEEKER HARNETT and her issue, and in no event shall MELISSA Y. MEEKER HARNETT or her issue be deemed a beneficiary under this instrument.

4.7 Delayed Distributions; Payment of Interest

Except as may be expressly provided otherwise elsewhere in this Will, upon the occurrence of any event requiring my Executor to divide, segregate and/or distribute the property governed by this Will, my Executor shall have the power to delay, without the payment of interest, the division, segregation and/or distribution of all or any part of such property for such period of time as, in my Executor's discretion, may be reasonably required to ascertain and provide for the payment of any tax or other liability for which such property or my Executor is or may become liable or to resolve any conflicting claims regarding entitlement to such property; provided, however, that the foregoing shall not affect the vesting of any interests created under this Will or the accrual and payment of income to any beneficiary; provided, further, that appropriate interest (as determined within the meaning of California Probate Code Sections 12001 and 12003) shall be paid where necessary to comply with the Internal Revenue Code of

1986, as amended, Treasury Regulations and Rulings issued pursuant thereto dealing with the federal estate tax marital and/or charitable deductions and allocation of the exemption from the federal tax on generation-skipping transfers.

4.8 Definition of Incapacity

As used in this Will, “incapacity” or “incapacitated” means a person operating under a legal disability such as a duly established conservatorship, or a person who is unable to do either of the following:

- (a) Provide properly for that person’s own needs for physical health, food, clothing, or shelter; or
- (b) Manage substantially that person’s own financial resources, or resist fraud or undue influence.

The determination of incapacity shall be made in writing by the primary or an attending physician of the subject person.

4.9 Distribution by Right of Representation

Whenever a division of property is specified to be made under this instrument among the issue of an individual by right of representation, such property shall be divided among such issue in the manner set forth in California Probate Code Section 246.

4.10 Number and Gender

As used in this Will, references in the masculine gender shall be deemed to include the feminine and neuter genders, and vice versa, and references to the singular shall be deemed to include the plural, and vice versa, wherever the context so permits.

4.11 Captions

The captions appearing in this Will are for convenience of reference only, and shall be disregarded in determining the meaning and effect of the provisions of this Will.

4.12 Severability Clause

If any provision of this Will is invalid, that provision shall be disregarded, and the remainder of this Will shall be construed as if the invalid provision had not been included.

4.13 California Law to Apply

All questions concerning the validity and interpretation of this Will shall be governed by the laws of the State of California in effect at the time this Will is executed.

Executed on January 27, 2021, at Santa Rosa, California.

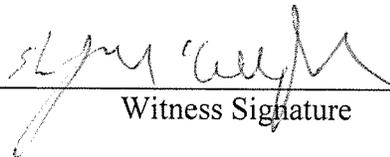
A handwritten signature in black ink, appearing to be 'C. Meeker, III', written over a horizontal line.

Charles R. Meeker, III

On the date written above, we, the undersigned, each being present at the same time, having witnessed the signing of this instrument by CHARLES R. MEEKER, III, who declared to us that this instrument was the Will of CHARLES R. MEEKER, III. At that time, CHARLES R. MEEKER, III appeared to us to be of sound mind and memory and, to the best of our knowledge, was not acting under fraud, duress, menace, or undue influence. Understanding this instrument, which consists of eleven (11) pages, including the pages on which the signature of CHARLES R. MEEKER, III and our signatures appear, to be the Will of CHARLES R. MEEKER, III, we subscribe our names as witnesses thereto.

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

Executed on January 27, 2021, at Santa Rosa, California.

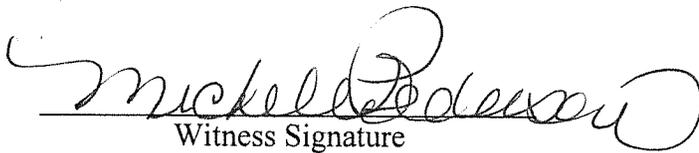


Witness Signature

Kevin J. McCullough
Print Witness Name

90 South E Street, Suite 200
Street Address

Santa Rosa, CA 95404
City, State, Zip



Witness Signature

Michelle Pedersen
Print Witness Name

90 South E Street, Suite 200
Street Address

Santa Rosa, CA 95404
City, State, Zip