

DISTRICT COURT
WEBER COUNTY

pd 80.00

FEB 22 2 45 PM '91

William J. Critchlow, III (#760)
PARKER, THORNLEY & CRITCHLOW
Attorneys for Petitioner
2610 Washington Boulevard
P.O. Box 107
Ogden, Utah 84402
Telephone: 399-3303

IN THE DISTRICT COURT OF WEBER COUNTY

STATE OF UTAH

IN THE MATTER OF THE ESTATES)

PETITION FOR ORDER APPOINTING
SUCCESSOR TRUSTEE

of)

HAROLD BRAMWELL and)
LEONA M. BRAMWELL,)

Probate No. 913900043

Deceased.)

JUDGE: RONALD O. HYDE

LAW OFFICES OF
PARKER, THORNLEY & CRITCHLOW
2610 WASHINGTON BOULEVARD
P. O. BOX 107
OGDEN, UTAH 84402

Petitioner, KENNETH EARL BRAMWELL, states and represents to
the Court as follows:

1. Petitioner's interest in this matter is that of a heir,
Co-trustee of the Leona M. Bramwell Family Trust and successor
beneficiary of the above-named decedents in a trust deed
hereinafter described.

2. The decedent, HAROLD BRAMWELL, died January 17, 1974,
and the decedent, LEONA M. BRAMWELL, died December 17, 1980.

3. Venue is proper because at the time of the respective
deaths of said decedents each was domiciled in this county.

0471188

BK0699PG5583

4. The decedents died intestate, and the names and addresses of their heirs at law are as follows:

<u>Name</u>	<u>Address</u>	<u>Relationship</u>
Kenneth Earl Bramwell	1120 East 1675 North North Ogden, Utah 84414	son
Joyce Ann B. Maw	1445 Swan Ogden, Utah 84401	daughter
Sharon B. Truman	304 North Washington Blvd. Ogden, Utah 84404	daughter
Larry D. Bramwell	509 West 3950 North Pleasant View, Utah 84414	grandson
Linda B. Jones	2464 Woodland Drive Ogden, Utah 84403	granddaughter
Lynn Harold Bramwell	2220 Deerfield Avenue Redding, California 96002	grandson

5. On December 27, 1968, the said decedents were named as beneficiaries in a deed of trust dated December 27, 1968, a copy of which is hereto attached as Exhibit A.

6. On or about October 22, 1970, each of said decedents executed a declaration of trust with Bank of Utah as trustee, to which trustee the decedents transferred and conveyed their respective interests in said promissory note and trust deed by assignment and quitclaim deed.

7. On page 10 of each declaration of trust grantor refer to said promissory note and trust deed as a "Real Estate Contract and Escrow Agreement dated December 16, 1968, between husband and

wife, as Sellers, and Edward Roznowski, as Buyer", copies of which are attached hereto as Exhibits B and C.

8. Assuming said Roznowski note and trust deed to be a real estate contract in escrow, not a promissory note secured by trust deed, Bank of Utah transferred the same by quitclaim deed and assignment to its successor trustees, HAROLD LYNN BRAMWELL, KENNETH EARL BRAMWELL, JOYCE ANN B. MAW and SHARON B. TRUMAN, of the LEONA M. BRAMWELL TRUST. See Exhibit D hereto attached.

9. After the death of LEONA M. BRAMWELL said real estate contract was conveyed by assignment dated July 1, 1983, to petitioner, KENNETH EARL BRAMWELL, as part of his distributive share of the LEONA M. BRAMWELL TRUST. See Exhibit E hereto attached.

10. Since July 1, 1983, KENNETH EARL BRAMWELL, as the successor beneficiary of said trust deed, has received all monthly installments due under the promissory note of EDWARD ROZNOWSKI which was assumed by GEORGE A. MORROW and JEANETTE J. MORROW sometime in 1975. See preliminary report of First Nevada Title Company attached hereto as Exhibit F.


11. All payments due under said promissory note, secured by trust deed, have been paid in full by ROZNOWSKI and the MORROWS, and a reconveyance is now due in favor of GEORGE A. MORROW and JEANETTE J. MORROW the fee owners of the subject property.

12. The original trustee, SILVER STATE TITLE COMPANY, a Nevada corporation, was dissolved sometime subsequent to the execution of the trust deed of December 27, 1968, necessitating the appointment of a successor trustee to execute a proper reconveyance to GEORGE A. MORROW and JEANETTE J. MORROW, the vested owners of the subject property who have paid all property taxes assessed against the subject property in addition to all payments due under said promissory note. See page 2 of preliminary report hereto attached as Exhibit F.


WHEREFORE, petitioner prays as follows:

1. The Court fix a time and place of hearing.
2. Notice be given as required by law.
3. The Court make an order quieting title in the promissory note in KENNETH EARL BRAMWELL, son of decedents, as the duly constituted successor beneficiary under that particular deed of trust dated December 27, 1968, a copy of which is hereto attached as Exhibit A.

Dated this 22nd day of September, 1991


Kenneth Earl Bramwell
PETITIONER

PARKER, THORNLEY & CRITCHLOW


William J. Critchlow, III
Attorneys for Petitioner

LAW OFFICES OF
PARKER, THORNLEY & CRITCHLOW
2610 WASHINGTON BOULEVARD
P. O. BOX 107
OGDEN, UTAH 84402

VERIFICATION

STATE OF UTAH)
) ss
COUNTY OF WEBER)

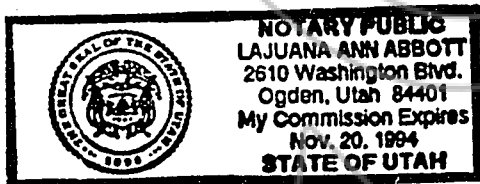
The Petitioner, being sworn, says that the facts set forth in the foregoing Petition are accurate and complete to the best of Petitioner's knowledge and belief.

Kenneth Earl Bramwell
Kenneth Earl Bramwell

SUBSCRIBED and sworn to before me this 22nd day of February, 1991.

Lajuana Ann Abbott
Notary Public
Residing at Morgan

My Commission Expires:



REQUESTED BY
WESTERN TITLE COMPANY, INC.
IN OFFICIAL RECORDS OF
DOUGLAS CO. NEVADA

'99 JUN 28 P12:08

LINDA SLATER
RECORDER
PAID 2 DEPUTY

STATE OF UTAH
COUNTY OF WEBER

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE ORIGINAL ON FILE IN MY OFFICE
DATED THIS 11 DAY OF May 1999
PAULA CARR
CLERK OF THE COURT
Paula Carr



0471188

BK0699PG5587