SUPERIOR COURT OF WASHINGTON FOR ISLAND COUNTY

In the Estate of: ) NO.

)

, ) MOTION TO REVOKE LETTERS OF

Deceased. ) ADMINISTRATION AND TO ISSUE

) LETTERS TESTAMENTARY DUE TO

) SUBSEQUENTLY FOUND WILL

Personal Representative, , alleges and sets forth as follows:

1. On December 2, 2021, Personal Representative filed her petition to open an intestate probate for the estate of her deceased spouse believing that Decedent had not executed a Will.

2. On December 3, 2021, on the ex-parte calendar, this Court signed an order to open Decedent’s probate and to issue Letters of Administration to Personal Representative.

3. Personal Representative signed and filed her Oath of Administrator on December 2, 2021.

4. Recently and subsequently to this Court’s issuance of the Letters of Administration, Personal Representative found a Will signed by Decedent hidden in the rafters of their shared residence. The newly found Will is filed concurrently with this Motion under separate cover.

5. The newly found Will leaves everything to Personal Representative, as his surviving spouse, so there is no change in the distribution of Decedent’s estate. The newly found Will elects Personal Representative to act as Decedent’s “executor” and to act without bond and with nonintervention powers.

6. RCW 11.28.150 states, in full: “If after letters of administration are granted a will of the deceased be found and probate thereof be granted, the letters shall be revoked and letters testamentary or of administration with the will annexed, shall be granted.”

WHEREFORE, Personal Representative moves this Court for an Order be entered as follows:

A. Revoke the Letters Administration issued to Personal Representative by this Court on December 3, 2021.

B. Adjudicating xxxx as personal representative of Decedent’s estate.

C. Granting xxxxxxx nonintervention powers, directing that she may serve without bond, directing the clerk of the court to issue Letters Testamentary to xxxxxxx, and directing that she complete administration of Decedent's estate without further intervention of this court.

D. Authorizing xxxxxxxxxxxxxxxxxx to transfer all property of Decedent’s estate without further order of the court consistent with her duties as personal representative,

E. Directing that administration be in accordance with the laws of this state without the further intervention of any Court.

June 24, 2022

PAUL A. NEUMILLER, WSBA #28124

Attorney for Personal Representative

STATE OF WASHINGTON )

): ss.

COUNTY OF ISLAND )

xxxxxxxxxxxx, being first duly sworn, on oath, deposes and states:

I am the Movant herein; I have read the within and foregoing Motion, know the contents thereof, and believe the same to be true.

xxxxxx

SIGNED AND SWORN to before me on June 24, 2022.

Notary Public In and for the State of Washington

Print Name: Paul A. Neumiller

My Commission Expires: 04/28/2026