

- File 2

October 5, 1999

San Francisco County Clerk
400 Van Ness Avenue Room 317
San Francisco CA 94102-4607

Dear Sirs:

Can you please tell me how to get a copy of the will and the records of the will being contested of my great grandfather:

Francis Peter MASSON: will filed 19 March 1915 and will contested March 3-13, 1915

I am more than willing to pay whatever charges apply and am enclosing a stamped self-addressed envelope for your reply.

Thanking you in advance,

(Mrs.) Eleanor Evans Borkenhagen

OCT 26 1999
FEB -3 2000

ELEANOR EVANS BORKENHAGEN

623 - Thirteenth Street, Huntington Beach CA 92648-4039
(714) 536-8523 borkenhb@aol.com

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Eleanor E. Borkenhagen

(Mrs.) Eleanor Evans Borkenhagen

RESEARCH WORKSHEET SUMMARY

PLEASE PRINT VERY LEGIBLY
 FULL NAME OF DECEDENT/CONSERVATEE/MINOR:

Francis Peter Masson	
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REASERCH YEARS	VOLUME NUMBER	PAGE NUMBER	CASE NUMBER	NOT FOUND	FEE PER VOLUME	FEE DUE
15	1	1906-26	18706		84.00	
	2	1926-44			76.00	
	3	1945-61			80.00	
	4	1962-77			64.00	
	5	1978			4.00	
	6	1979			4.00	
	7	1980			4.00	
	8	1981			4.00	
	9	1982			4.00	
		1983 - 86			4.00	
		1987 - Present			4.00	

CK - NTE 30~

PLEASE ALLOW US 4 - 6 WEEKS TO PROCESS
 CALL (415) 551-3813 IF YOU HAVE QUESTIONS

WE HAVE SEARCHED THE YEARS INDICATED ABOVE AND FIND:

- NO RECORD OF REQUESTED NAMES AND YEARS.
- FOUND RECORD. COPY ENCLOSED
- OTHER:

SEARCH TOTAL 42
 COPIES/COMPARING 24
 CERTIFYING/EXEMPLIFYING _____
 WAREHOUSE 5

TOTAL \$ 33
 AMOUNT PAID \$ 30
 PLS REMIT BALANCE DUE \$ 3

RESEARCH REQUESTS

PROBATE ACTIONS

SAN FRANCISCO COUNTY SUPERIOR COURT
1906 - PRESENT

PLEASE PROVIDE THE FOLLOWING INFORMATION TO ENABLE US TO PROCESS YOUR REQUEST

- Year petition filed or years to be searched
- Check made out to "CLERK OF SUPERIOR COURT" indicating "amount not to exceed \$30.00" or exact amount if known
- Full names of decedent/conservatee/minor

RESULTS OF OUR SEARCH ARE ON THE REVERSE

- Please remit balance along with this form letter. Be sure your check includes case number/name.
- For additional help on this case, return this form letter

OUR FEE SCHEDULE:

- Document Research \$ 4.00
- Research \$ 4.00/year and per name
- Retrieval of Item from Warehouse \$ 5.00/volume

- Copying \$ 0.75/page
 - Register of Actions Computer \$ 1.00/first page
 - \$ 0.75/additional page

- Certification \$ 6.00
- Exemplification \$ 20.00
- Comparing or copying \$ 1.00/page
- Clerk's Certificate \$ 10.00

IN THE FUTURE:

- Enclosed a stamped, self addressed envelope
- Address correspondence to:

SAN FRANCISCO SUPERIOR COURT
ATTN: RECORDS SERVICES
400 McALLISTER STREET, ROOM 103
SAN FRANCISCO, CA 94102-4514

By _____
Deputy Clerk
(415) 551-3813

*Assigned
Departed 10/19/14
March 8, 1915
Doubt
Presiding Judge*

No. <u>18706</u> Dept. No. <u>10</u> Superior Court City and County of San Francisco State of California
In the Matter of the Estate of Francis P. Masson, also known as Francisque P. Masson, Deceased
PETITION FOR GENERAL AND SPECIAL LETTERS OF ADMINISTRATION
FILED MAR 8 - 1915 H. I. MUCKREY, Clerk By <u>H. I. Muckrey</u> Deputy Clerk
<i>March 22</i>
SULLIVAN & SULLIVAN AND THEO. J. ROCHE ATTORNEYS FOR <u>petitioner.</u> 1108 HUMBOLDT BANK BUILDING SAN FRANCISCO, CAL.

Attorney for

Receipt of a copy of the within
is hereby admitted this day of 191

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR
THE CITY AND COUNTY OF SAN FRANCISCO.

In the Matter of the Estate

of

FRANCIS P. MASSON, also
known as Francisque P. Masson,

Deceased.

To the Honorable, the Superior Court of the State of California,
in and for the City and County of San Francisco:-

The petition of Marie Louise Evans respectfully
shows the following facts:-

Francis P. Masson, in his lifetime also known
as Francisque P. Masson, died in France on the 6th day of
March, 1915. At the time of his death he was a res-
ident of the City and County of San Francisco, State of
California. He left estate, consisting of real and
personal property in said City and County of San Francisco.
Said real property consists of an undivided one-half interest
in the following described lots or parcels of land, sit-
uate in said City and County of San Francisco:

1. That certain lot of land commencing
at the southwesterly corner of Powell and
O'Farrell Streets; running thence southerly
along the westerly line of Powell Street 23 feet,
6 inches; thence at right angles westerly 137

feet, 6 inches; thence at right angles northerly 23 feet, 6 inches to the southerly line of O'Farrell Street; running thence easterly along said southerly line of O'Farrell Street 137 feet, 6 inches to the southwesterly corner of Powell and O'Farrell Streets and the point of commencement; being part of 50 Vara Block No. 170.

2. That certain lot of land commencing at the northeasterly corner of McAllister and Gough Streets; running thence northerly along the easterly line of Gough Street 100 feet; thence at right angles easterly 57 feet, 6 inches; thence at right angles southerly 100 feet to the northerly line of McAllister Street; running thence westerly along the said northerly line of McAllister Street 57 feet, 6 inches to the northeasterly corner of McAllister and Gough Streets and the point of commencement; being part of Western Addition Block No. 136.

3. That certain lot of land commencing at the southeasterly corner of Spofford and Washington Streets; running thence southerly and along the easterly line of Spofford Street 36 feet, 8 inches; thence at right angles easterly 40 feet; thence at right angles northerly 36 feet, 8 inches to the southerly line of Washington Street; running thence westerly along the southerly line of Washington Street 40 feet to the southeasterly corner of Spofford and Washington Streets and the point of beginning; being part of 50 Vara Block No. 113.

4. That certain lot of land commencing at a point on the southerly line of Commercial Street, 110 feet easterly from the easterly line of Sansome Street; running thence easterly along said southerly line of Commercial Street 60 feet, 4-3/8 inches; thence at right angles southerly 73 feet, 8 inches; thence at right angles westerly 60 feet 4-3/8 inches; thence at right angles northerly 73 feet, 8 inches to the southerly line of Commercial Street and the point of beginning; being part of 50 Vara Block No. 36.

In addition to said real property above described said decedent left personal property in the City and County of San Francisco and in France, the value or character of

which is unknown to your petitioner.

Said decedent left him surviving as his only heirs at law your petitioner, his daughter, Marie Louise Evans, aged 49 years, residing in said City and County of San Francisco; his daughter, Helen Masson, aged 43 years, residing in said City and County of San Francisco; his wife, Marguerite Masson, ^{aged 48 years,} now and for three years last past residing in Charlieu, France; and his daughter, Clotilde Garnier, aged 24 years, whose last place of residence was Charlieu, France.

Your petitioner has no knowledge whatever of the existence of any Will left by said decedent. Whether said decedent died testate or intestate there will be delay in granting letters testamentary or letters of administration, and it is necessary for the protection and preservation of the estate that a special administrator of said estate be forthwith appointed.

The interest of said decedent at the time of his death in the real property above described was of the value of \$125,000 or thereabouts. Said real property is occupied by tenants, who hold the same under leases and who pay for the same monthly rents. It is necessary that a special administrator be appointed to collect said rents.

WHEREFORE, petitioner prays that she be appointed

administratrix of the estate of said deceased, after notice given as required by law, and that she be forthwith appointed special administratrix of said estate, to serve as such special administratrix until the issuance to her of general letters of administration.

Dated: March 8, 1915.

Marie Louise Evans.

Petitioner.

Sullivan & Sullivan & Roche

Attorneys for petitioner.

Book 333 426
July 21, 1916.

V
No. 18706 New Series. Dept. No. 10

IN THE SUPERIOR COURT
of the State of California,
in and for the City and County
of San Francisco.

In the Matter of the Estate
of
FRANCIS P. MASSON,
Deceased.

DECREE OF SETTLEMENT OF ACCOUNT
AND FINAL DISTRIBUTION.

FILED

JUL 12 1916
H. I. MULGREVY, Clerk
By *H. C. Wilson*
Deputy Clerk.

A. COMTE, JR.
Attorney for Executrix,
No. 333 Kearny St.
San Francisco, California.

IN THE SUPERIOR COURT
OF THE STATE OF CALIFORNIA,
IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO.

In the Matter of the Estate)
of)
FRANCIS P. MASSON,)
Deceased.)
_____)

New Series.
No.18706. Dept.No.10.
DECREE OF SETTLEMENT OF
ACCOUNT AND FINAL
DISTRIBUTION.

MARGUERITE MASSON, Executrix of the last will and testament of FRANCIS P. MASSON, deceased, having on the 21st day of June, A.D.1916, rendered and filed herein her First and Final Account, being a full account and report of her administration of said estate, which account was for final settlement, and having with said account filed a petition for the final distribution of the estate;

And said account and petition this day coming on regularly to be heard, proof having been made to the satisfaction of the Court that the Clerk had given notice of the settlement of said account and the hearing of said petition, in the manner and for the time heretofore fixed and directed, and as is by law provided;

And it appearing that said account is in all respects true and correct, and that it is supported by proper vouchers; and that the residue of money in the hands of the Executrix at the time of filing said account was \$2799.83, and that since the rendition of said account \$ 225⁴⁵ has been received by the Executrix, and that nothing has been expended by her; leaving a residue of \$ 2025,28 ;

-----The Court FINDS, ORDERS, ADJUDGES AND DECREES:

That after proceedings in that behalf duly had, said Petitioner was appointed Executrix of the last will and testament of FRANCIS P. MASSON, deceased, by said Superior Court by its order and judgment duly given and made on the 9th day of June, A.D.1915, and that said petitioner immediately thereupon qualified as such Executrix, and that on said 9th day of June, A.D.1915, Letters Testamentary herein duly issued unto said petitioner out of the Clerk's office of said Court, and under the seal thereof, and that said petitioner immediately thereupon entered upon the discharge of her duties as such Executrix, and that said Letters Testamentary have never been vacated or revoked, but remain in full force, virtue and effect; and that said petitioner has continued to be, and still is the duly appointed, qualified and acting Executrix of the last will and testament of said FRANCIS P. MASSON, deceased;

That on the 28th day of August, A.D.1915, said petitioner duly made and returned to this Court a true Inventory and appraisement of all of the estate of said deceased which had come to her possession or knowledge, and that pursuant to an order in that behalf first duly made, said petitioner on the 19th day of June, A.D.1915, duly published Notice to Creditors to present their claims against said deceased and his estate, in the manner and for the time ordered by the Judge of this Court, and as is by law provided;

And that within thirty (30) days after the first publication of said Notice to Creditors, said petitioner, Executrix as aforesaid, filed in said Court having jurisdiction a printed copy of said Notice to Creditors, accompanied by a statement setting forth the day of the first publication thereof, and the name of the newspaper in which the same was printed and published;

That all of the debts of said estate, and all expenses of the administration thereof thus far incurred, and all taxes that have attached to or accrued against the said estate have been paid and discharged; and that the administration of said estate is now in a condition to be closed; and that the residue of said estate now remaining in the hands of said petitioner consists of the real and personal property hereinafter described;

That said residue of said estate is partly separate property and partly community property of said decedent and said petitioner, his widow;

That more than one year has elapsed since the issuance of said Letters Testamentary, and more than one year has expired since the first publication of Notice to Creditors;

That said FRANCIS P. MASSON died testate at Charlieu, Loire, France, on the 4th day of March, A.D. 1915, and that at the time of his death he was a resident of the City and County of San Francisco, State of California, and left estate therein;

That he left him surviving as his sole heirs at law said petitioner, MARGUERITE MASSON, his widow, and three (3) children, namely: MARIE LOUISE EVANS, HELENE MASSON and CLOTILDE PAULINE GARNIER, and that he left him surviving no other child, nor issue of any deceased child;

That after proceedings in that behalf duly had, the last will and testament of said FRANCIS P. MASSON, deceased, was duly admitted to probate by this Court by its judgment and decree duly given and made on the 9th day of June, A.D. 1915, and that the probate of said will has never been vacated or revoked, but remains in full force, virtue and effect;

That by said last will and testament, the said FRANCIS P. MASSON disposes of his property in manner following, that is to say:

W I L L .

" I, FRANCIS P. MASSON, a citizen of the United States of America, of sound and disposing mind and memory, but conscious of the uncertainty of life, make, publish and declare this my last Will and Testament, in manner following, that is to say:

I.

Under date of December 27th, or thereabouts, in the year A.D. nineteen hundred and nine (1909), while in France, I made a Will in the French language concerning my property in the Republic of France, and I hereby expressly ratify and confirm said French will, which applies, however, exclusively to property in the Republic of France, and not to any of my property, real or personal, in the State of California, or in the United States of America.

II.

I have conveyed to my wife, MARGUERITE MASSON, (nee' MARGUERITE CHIZELLE), my undivided one-half interest in the real property situated at the South-West corner of Powell and O'Farrell Streets; and also in the real property at the North East corner of McAllister and Gough Streets, both being in the City and County of San Francisco, State of California; And I hereby ratify and confirm said conveyance, and declare that said property belongs to my said wife, unconditionally.

III.

I give, devise and bequeath unto my said wife, the use and enjoyment during her lifetime, of any and all other real property of which I may die seized, possessed or entitled to, or in which I am otherwise interested, situated in the City and County of San Francisco, State of California.

IV.

I give, devise and bequeath unto my three daughters, MARIE LOUISE EVANS, HELENE MASSON, and CLOTILDE PAULINE MASSON, their heirs and assigns forever, in equal shares, the remainder of all real estate mentioned in the foregoing article of this Will, to take effect in possession after the death of my said wife, but upon express condition, however, that no one of my said daughters shall attack, contest or call into question in any manner, the validity either in form or substance, of all or any part of this Will, or of said French will, or of the conveyance to my said wife mentioned hereinbefore, or any other gift, conveyance or disposition that I may have made, or may make during my lifetime, in favor of my said wife, or of any of my said daughters; and upon further condition that no one of my said daughters shall seek to recover all, or any part of any property that may stand in the name of my said wife, or of any one of my said daughters, or that I may have declared in writing to be the property of my said wife, or any of my said daughters; and also upon express condition that my said daughters shall not attempt to delay in any manner, the probate of this Will, or of said French will, in whole or in part, or the settlement of my estate in California, or France, or elsewhere; and upon condition that they shall facilitate in every respect, the probate and carrying into effect of this Will, and of said French Will, and the settlement of my estate in California, France, or elsewhere. And that they shall, upon demand, properly execute and deliver any and all papers or documents, whatsoever, that may in the opinion of counsel for my said wife, be necessary or advisable, to carry out the foregoing purposes and conditions.

Should either of my said daughters fail to carry out or comply with the above conditions, in any manner, I hereby revoke the devise hereinbefore made in her favor, and I give, devise and bequeath the property covered thereby unto my said wife, her heirs and assigns forever.

V.

I give, devise and bequeath all the rest, residue and remainder of my property, real and personal, and wheresoever situated, unto my said wife, absolutely and forever.

VI.

I nominate, constitute and appoint my said wife Executrix of this, my last will and testament, to qualify and act as such without bonds, and in case of her inability or refusal to act as such Executrix, then and in such case I nominate, constitute and appoint A. COMTE, JR. as Executor of this, my last Will and Testament, to act as such without bonds.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, on this 16th day of February, A.D. one thousand nine hundred and eleven (1911).

F. P. MASSON. (SEAL)

The Testator, Francis P. Masson, subscribed the foregoing instrument in our presence, and declared the same to us be his last will and testament; and we, at his request, and in his presence, and in the presence of each other, have hereunto signed our names as witnesses at San Francisco, California, on this 16th day of February, A.D. 1911.

A. L. Auradou

688-2nd Avenue, S.F.

A. Huguenin.

1720 Steiner St. S.F.

And that said petitioner MARGUERITE MASSON, and the three children, daughters of said decedent, namely: MARIE LOUISE EVANS, HELENE MASSON and CLOTILDE PAULINE GARNIER entered into a written Agreement dated the first day of June, A.D. 1916, in words and figures as follows, to-wit:

AGREEMENT.

" THIS AGREEMENT, Made and entered into this first day of June, in the year A.D. nineteen hundred and sixteen (1916)

Between MARGUERITE MASSON, of Charlieu, Loire, France, the party of the first part, and MARIE LOUISE EVANS and HELENE MASSON, of the City and County of San Francisco, State of California, and CLOTILDE GARNIER, of Charlieu, Loire, France, the parties of the second part,

WITNESSETH:

That Whereas, FRANCIS P. MASSON died in Charlieu, Loire, France, on the 4th day of March, A.D. 1915, leaving estate both in France and in the State of California,

And Whereas, the sole heirs at law of the said FRANCIS P. MASSON are said MARGUERITE MASSON, his widow, MARIE LOUISE EVANS and HELENE MASSON, daughters by his first marriage, and CLOTILDE GARNIER, daughter by the second marriage of said decedent,

And Whereas, the last will and testament of said FRANCIS P. MASSON, deceased, was heretofore filed for probate in the Superior Court of the State of California, in and for the City and County of San Francisco,

And Whereas, the same was duly admitted to probate by said Court on the 9th day of June, A.D. 1915,

And Whereas, prior to the filing of said last will and testament, the undersigned, daughters by the first marriage,

had filed a Bill in Equity for the purpose of setting aside a Deed made by the said FRANCIS P. MASSON in his lifetime, wherein and whereby he conveyed certain real property in the City and County of San Francisco, California, to his said wife,

And Whereas, it is the desired of the said widow and of all of the undersigned, being all of the heirs at law, and legatees and devisees of said deceased, to amicably settle all difficulties between them arising from the disposition by said FRANCIS P. MASSON, of his estate, both in his lifetime and by the last will and testament made by said FRANCIS P. MASSON, said settlement to cover all properties wheresoever situate, including properties in France and in the United States;

AND WHEREAS, said FRANCIS P. MASSON at the time of his death was the owner of the following described real property situated in the City and County of San Francisco, State of California, particularly bounded and described as follows, to-wit:

FIRST PARCEL:

The undivided one-half (1/2) of that certain lot, piece or parcel of land situated, lying and being in the City and County of San Francisco, State of California, and particularly bounded and described as follows, to-wit:

COMMENCING at a point on the Southerly line of Commercial Street, distant thereon one hundred and ten (110) feet Easterly from the Easterly line of Sansome Street; running thence Easterly along said Southerly line of Commercial Street sixty (60) feet and four and three-eighths (4 3/8) inches; thence at a right angle Southerly and parallel with Sansome Street seventy-three (73) feet and eight (8) inches; thence at a right angle Westerly and parallel with Commercial Street sixty (60) feet and four and three-eighths (4 3/8) inches; thence at a right angle Northerly and parallel with Sansome Street seventy-three (73) feet and eight (8) inches to the Southerly line of Commercial Street and the point of commencement.

SECOND PARCEL:

The undivided one-half (1/2) of that certain lot, piece or parcel of land situated, lying and being in the City and County of San Francisco, State of California, particularly bounded and described as follows, to-wit:

COMMENCING at the point of the intersection forming the South-East corner of Washington Street and Spofford Alley; running thence Easterly along the Southerly line of Washington Street forty (40) feet; thence at a right angle Southerly and parallel with Spofford Alley thirty-six (36) feet and eight (8) inches; thence at a right angle Westerly and parallel with Washington Street forty (40) feet to the Easterly line of Spofford Alley; running thence Northerly along said Easterly line of Spofford Alley thirty-six (36) feet and eight (8) inches to the South-Easterly corner of Washington Street and Spofford Alley, the point of commencement, --

which said real property is improved and is now producing rent.

AND WHEREAS, said FRANCIS P. MASSON by his said last will and testament, gives, devises and bequeathes the use and enjoyment of said property unto his wife, said MARGUERITE MASSON, during her lifetime;

And Whereas, the said Marguerite Masson would therefore be entitled to have, receive, use and enjoy during her lifetime all of the rents, revenue and income of said property situated on Commercial Street and at the South-East corner of Washington Street and Spofford Alley above described,

NOW THEREFORE, in consideration of the premises and of the sum of One Dollar (\$1.00) by each of the parties to the other in hand paid, the receipt whereof is by each hereby acknowledged, said parties have covenanted and agreed and bound

themselves, and each of them does by these presents hereby covenant, agree and bind herself as follows, to-wit:

1st. On the final distribution of the estate of said FRANCIS P. MASSON, the undersigned MARGUERITE MASSON, widow of said decedent, will pay unto said HELENE MASSON the sum of Seven Hundred and Twenty Dollars (\$720.00);

2nd. The said MARGUERITE MASSON does hereby covenant, promise and agree that the rents, revenue and income of the properties hereinbefore particularly described, situated on Commercial Street, and at the South-East corner of Washington Street and Spofford Alley, shall be used and applied for the following purposes, namely: After the payment of all taxes, repairs, assessments, liens, insurance premiums, costs and expenses of managing the property, and all other expenses properly chargeable in the management of said property, the rents, revenue and income of said property shall be paid and apportioned as follows, namely:

The sum of Forty-five Dollars (\$45.00) per month shall be paid therefrom unto HELENE MASSON, during the period of her natural life, on the first day of each and every month, beginning with the 1st day of July, A.D. 1916, -- provided, however, that if the said MARGUERITE MASSON, widow of said decedent, shall die before the said HELENE MASSON, then and in such event this covenant and agreement as to the payment of said monthly sum of Forty-five Dollars (\$45.00) shall terminate and end upon the death of said MARGUERITE MASSON; and said property above described shall thereafter be wholly relieved of and from such payment, except in so far as said HELENE MASSON may be entitled to receive her share of said rents under the last will and testament of said FRANCIS P. MASSON, deceased;

3rd. And out of the rest and remainder of said rents, revenue and income, the further sum of Twenty-five Dollars (\$25.00) per month shall be paid unto the said MARIE LOUISE EVANS during the period of her natural life, on the first day of each and every month beginning with the 1st day of July, A.D.1916,-- provided, however, that if the said MARGUERITE MASSON, widow of said decedent, shall die before the said MARIE LOUISE EVANS, then and in such event this covenant and agreement shall terminate and end, in so far as the payment of said monthly sum of Twenty-five Dollars (\$25.00) is concerned, excepting in so far as said MARIE LOUISE EVANS may be entitled to receive the same under the last will and testament of said FRANCIS P. MASSON, deceased.

4th. After the payment of said respective monthly sums of Forty-five Dollars (\$45.00) and Twenty-five Dollars (\$25.00) all the rest and remainder of said rents, revenue and income of said property shall be paid from month to month, unto the said MARGUERITE MASSON during the period of her natural life;

5th. On the death of said MARGUERITE MASSON, the rents, revenue and income of the real property hereinbefore described, shall be used and applied and paid according to the terms and conditions of said last will and testament of FRANCIS P. MASSON, deceased;

6th. It is hereby represented to the said MARIE LOUISE EVANS and the said HELENE MASSON that the estate of the said FRANCIS P. MASSON, deceased, in France consists of the following described properties, and none other, to-wit:

Two (2) parcels of land adjoining each other, on which are the following improvements, namely: The residence and a tenement house occupied by working people, also a gardener's house, all of which property is situated at Charlieu, Loire, France. The personal property consists of the household furniture in said residence.

1911

7th. In consideration of the foregoing covenants and agreements, it is hereby COVENANTED AND AGREED by all of the parties hereto, that without any objection or opposition on their part, final distribution of the estate of said decedent may be made under said last will and testament heretofore admitted to probate in said Court, and in accordance therewith.

8th. It is further covenanted and agreed by each and all of the parties hereto, that the last will and testament or other dispositions of the aforesaid property situated in France which the said decedent may have made, shall be and is hereby confirmed in the form and manner made by the said decedent, and the said MARIE LOUISE EVANS and HELENE MASSON, daughters of said decedent by his said first marriage, hereby transfer, convey, assign and set over all their right, title, interest, devise, legacy or estate of any and every kind whatsoever, which they or either of them may be entitled to have or receive now or hereafter, by virtue of the Branch law, in and to any of the said property of the estate, of said FRANCIS P. MASSON, deceased, so situated in France.

9th. And they do further covenant and agree that they will execute any and all assignments, transfers, conveyances and assurances or releases which may be requested or desired by the said MARGUERITE MASSON, widow of the said decedent, her heirs, successors or assigns, for the purpose of confirming her title in and to the said property and estate so situated in France, and in and to the said property and estate situate in the State of California, or in and to any part or portion thereof; and that by way of further assurance they, and each of them, will from time to time execute any papers or documents that may be considered necessary, proper or useful in facilitating the administration of said estate in France, and in absolutely

vesting the title to the said properties in France and in California in the said MARGUERITE MASSON, widow of said decedent, saving and reserving unto themselves only that part or portion of the real property belonging to the estate of said decedent specifically devised to them in remainder in and by said last will and testament of the said decedent, and reserving unto themselves the monthly payments of Forty-five Dollars (\$45.00) and Twenty-five Dollars (\$25.00) respectively, as hereinbefore provided.

10th. It is further covenanted and agreed that in case of the death of said MARIE LOUISE EVANS or of said HELENE MASSON during the lifetime of the said MARGUERITE MASSON, then and in such case the said MARGUERITE MASSON from the time of such death shall receive during the period of her natural life out of said rents, revenue and income of said property hereinbefore described, the monthly sum hereinbefore provided for, which would have been received by such decedent if said death had not occurred.

It is further agreed and covenanted, that said Bill in Equity is to be dismissed at once, without cost to either party.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.

MARGUERITE MASSON, (SEAL)
Party of the first part.

MARIE LOUISE EVANS, (SEAL)

HELENE MASSON, (SEAL)

CLOTILDE GARNIER, (SEAL)
Parties of the second part.

And said Petitioner, MARGUERITE MASSON, is entitled to have distributed unto her the sum of \$ 3025.28 cash on hand as shown by her First and Final Account, and said petitioner MARGUERITE MASSON is also entitled to have distributed unto her the seven (7) shares of the Capital Stock of the French American Bank of Savings, hereinafter described;

And said MARGUERITE MASSON is also entitled to have distributed unto her the use and enjoyment, rents, revenue and income of the real property hereinafter described during her lifetime, --subject, however, to the application of said rents, revenue and income according to the terms and conditions of said Agreement.

And that said three (3) children, namely: MARIE LOUISE EVANS, HELENE MASSON and CLOTILDE PAULINE GARNIER are entitled to have distributed unto them (in equal shares, that is to say, unto each of them the undivided one-third thereof), said real property hereinafter particularly described, situated on Commercial Street and at the South-East corner of Washington Street and Spofford Alley, in said City and County of San Francisco, to take effect in possession after the death of said petitioner, and subject to the life estate therein of said petitioner, as modified by said Agreement.

And that said petitioner, MARGUERITE MASSON, is entitled to have distributed unto her all other property, if any, belonging to said decedent at the time of his death, or acquired by his estate since his death;

And that since the making of said last will and testament by said FRANCIS P. MASSON; said CLOTILDE PAULINE MASSON married, and that her name now is CLOTILDE PAULINE GARNIER.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the said First and Final Account of the said Executrix be, and the same is settled, allowed and approved, and that the residue of said estate hereinafter particularly described, and any other property not now known or discovered, which may belong to the said estate or in which the said estate may have any interest, be and the same is hereby distributed as follows, to-wit:

The sum of \$ 3025, 28 cash on hand, as shown by her First and Final Account, is hereby distributed unto said MARGUERITE MASSON, petitioner;

And the seven (7) shares of the Capital Stock of the French American Bank of Savings, hereinafter described, are also hereby distributed unto said petitioner, MARGUERITE MASSON;

And the use and enjoyment, rents, revenue and income of the real property hereinafter described, are also hereby distributed unto said petitioner, MARGUERITE MASSON, for and during her natural life, --subject, however, to the application of said rents, revenue and income according to the terms and conditions of said Agreement;

And the real property hereinafter particularly described situated on Commercial Street and at the South-east corner of Washington Street and Spofford Alley, in the City and County of San Francisco, is hereby distributed unto said MARIE LOUISE EVANS, HELENE MASSON and CLOTILDE PAULINE GARNIER, share and share alike among them, that is to say unto each of them the undivided one-third (1/3) thereof, to take effect in possession after the death of said petitioner, MARGUERITE MASSON, and subject to the life estate therein of said MARGUERITE MASSON, as modified by said Agreement;

And all other property, if any, belonging to said decedent, FRANCIS P. MASSON, at the time of his death, or acquired by his estate since his death, is hereby distributed unto said petitioner, MARGUERITE MASSON;

The following is a particular description of the said residue of said estate referred to in this Decree, and of which distribution is now ordered, as aforesaid:

PERSONAL PROPERTY:

1.

Cash, balance on hand, in gold and silver coin of the United States. *\$ 3025.28*.....

2.

Seven (7) shares of the Capital Stock of the French American Bank of Savings, of San Francisco, standing in the name of F. P. MASSON, represented by Certificate No. 193.

THE FOLLOWING IS A SUMMARY OF THE CONTENTS OF THE BOOK

REAL ESTATE:

FIRST PARCEL:

The undivided one-half (1/2) of that certain lot, piece or parcel of land situated, lying and being in the City and County of San Francisco, State of California, and particularly bounded and described as follows, to-wit:

COMMENCING at a point on the Southerly line of Commercial Street, distant thereon one hundred and ten (110) feet Easterly from the Easterly line of Sansome Street; running thence Easterly along said Southerly line of Commercial Street sixty (60) feet and four and three-eighths (4 3/8) inches; thence at a right angle Southerly and parallel with Sansome Street seventy-three (73) feet and eight (8) inches; thence at a right angle Westerly and parallel with Commercial Street sixty (60) feet and four and three-eighths (4 3/8) inches; thence at a right angle Northerly and parallel with Sansome Street seventy-three (73) feet and eight (8) inches to the Southerly line of Commercial Street and the point of commencement.

SECOND PARCEL:

The undivided one-half (1/2) of that certain lot, piece or parcel of land situated, lying and being in the City and County of San Francisco, State of California, particularly bounded and described as follows, to-wit:

COMMENCING at the point of the intersection forming the South-east corner of Washington Street and Spofford Alley; running thence Easterly along the Southerly line of Washington Street forty (40) feet; thence at a right angle Southerly and parallel with Spofford Alley thirty-six (36) feet and eight (8) inches; thence at a right angle Westerly and parallel with Washington Street forty (40) feet to the Easterly line of Spofford Alley; running thence Northerly along said Easterly line of Spofford Alley thirty-six (36) feet and eight (8) inches to the South-Easterly corner of Washington Street and Spofford Alley, the point of commencement; 17-

DONE IN OPEN COURT, this 17th day of July, A.D. 1916.

Franklin A. Suppin.

Judge.