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BOOK 115 PAGE 357

BOOK 115 PAGE 792

COMMUNITY PROPERTY AGREEMENT

THIS COMMUNITY PROPERTY AGREEMENT, entered into this day
by and between CLARENCE EMIL SPITLER and ELSIE ANNA SPITLER,
husband and wife, of Stevenson, Skamania County, State of
Washington,

W I T H E S S E T H :

WHEREAS, the parties hereto are the owners of certain
real and personal property situate in the State of Washington;
and

WHEREAS, it is contemplated by the parties hereto that
they may acquire additional property in the future; and

WHEREAS, it is the desire hereto that all of their prop-
erty shall pass to the survivor without delay or expense in
the event of the death of either party,

NOW, THEREFORE, WE, CLARENCE EMIL SPITLER and ELSIE ANNA
SPITLER, husband and wife, for and in consideration of the
love and affection which we have, one for the other, do hereby
mutually agree that all of the property which we now own
separately, jointly, or otherwise, and whether real, per-
sonal or otherwise, and wheresoever situate, shall be and
it is hereby declared to be the community property of the
parties, and each of the parties to this agreement do hereby
convey and transfer to the other party and to their community,
all property owned by them, even though the same be held in
his or her separate estate; and

WE HEREBY MUTUALLY AGREE that all of the property which
shall hereafter be acquired by either of us, whether separately,
jointly or otherwise, and of whatsoever nature, and wheresoever
situate, shall be and it is hereby declared to be community
property, and each of the parties do hereby convey and transfer

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SPITLER
Community Property Agreement
Page 1 of 2 Pages

H's initials C. E. S.
W's initials C. A. S.

5-2-36-4-3-600

to the other and to their community, all such property hereafter acquired by either of them, even though the same be acquired in his or her separate estate; and

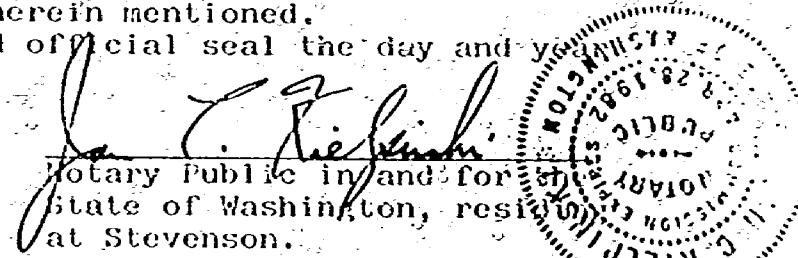
IT IS FURTHER AGREED that the whole of the community property now owned by us or hereafter acquired by us, including all property the status of which is changed or created by this agreement, shall at once, in the event of the death of CLARENCE EMIL SPITLER, while the said ELSIE ANNA SPITLER survives, be vested in ELSIE ANNA SPITLER, absolutely and in fee simple as her sole and separate property; and, in the event of the death of the said ELSIE ANNA SPITLER, while the said CLARENCE EMIL SPITLER survives, then the whole of the community property now owned by us or hereafter acquired by us, including all property the status of which is changed or created by this agreement, shall at once vest in the said CLARENCE EMIL SPITLER, absolutely and in fee simple as his sole and separate property.

IN WITNESS WHEREOF, the parties have executed this agreement this 9th day of August, 1979.

STATE OF WASHINGTON)
County of Skamania) ss.
County of Skamania)

I, the undersigned, a Notary Public in and for the State of Washington, do hereby certify that on the 9th day of August, 1979, personally appeared before me CLARENCE EMIL SPITLER and ELSIE ANNA SPITLER, husband and wife, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



SPITLER
Community Property Agreement
Page 2 of 2 Pages

H's initials C.E.S.

W's initials C.A.S.

STATE OF WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES
DIVISION OF HEALTH

LOCAL FILE NUMBER												
1 NAME - FIRST, MIDDLE LAST Clarence E. SPITLER		2 SEX Male		3 DEATH DATE MO. DAY YR 16 Feb 1989 146								
				STATE FILE NUMBER								
DECEDENT	4 AGE LAST BIRTH DAY (YRS) 69		5 UNDER 1 YEAR MOS. DAYS HOURS 000 000 000		6 BIRTHDATE MO. DAY YR 14 Mar 1919		7 BIRTH STATE (IF NOT USA) Washington U.S.A.		8 CITIZEN OF WHAT COUNTRY? USA (ONE COUNTRY)		9 COUNTY OF DEATH Klickitat	
PARENTS	11 CITY, TOWN OR LOCATION OF DEATH White Salmon		12 PLACE OF DEATH - BOX FOR PLACE THEN GIVE ADDRESS OR INSTITUTION NAME Skyline Hospital								13 SICKNESS LAST '5 YEARS? (YES/NO) No	
CREDITOR	14 MARITAL STATUS - MARRIED Never Married, Widowed Divorced, Separated Married		15 SURVIVING SPOUSE IF NO. 14 IS MARRIED Elsie A. Tharp		16 WAS DECEDENT EVER IN US ARMED FORCES? (Y/N) Yes		17 SOCIAL SECURITY NO 1537-10-2727		18 HIGH SCHOOL GRADUATED? (Y/N) Yes			
DEBTOR	19 USUAL OCCUPATION (CARB. IF NO. 20 LIVE DURING PAST 6 MONTHS) DO NOT LIST RETIRED Mechanic		20 KIND OF BUSINESS OR INDUSTRY School District		21 WAS Decedent of Hispanic Origin or descent? (Check if Yes or No) Yes		22 RACE (WHITE, BLACK, ASIAN OR PACIFIC ISLANDER, AM. INDIAN, HISPANIC OR OTHER)					
INFORMANT	23 RESIDENCE - NUMBER AND STREET 530 Hot Springs Alameda Stevenson		24 CITY, TOWN, OR LOCATION Yes		25 INSEE CITY LAPTS		26 COUNTY Skamania		27 STATE Washington		28 ZIP CODE 98648	
FATHER'S NAME - FIRST, MIDDLE LAST	29 MOTHER'S NAME - FIRST, MIDDLE MAIDEN SURNAME Clarence W. Spitzer		30 MOTHER'S NAME - FIRST, MIDDLE MAIDEN SURNAME Mary E. West									
CERTIFIER	31 INFORMANT - NAME Elsie Spitzer		32 MAILING ADDRESS P.O. Box 95 Stevenson, WA 98648		33 BURIAL CREMATORIA REMOVAL OF BODY (SICK)		34 DATE MO. DAY YR 2/20/1989		35 CEMETERY CREMATORIUM - NAME Wind River Memorial Cemetery		36 LOCATION - CITY, TOWN, STATE Carson, WA	
CAUSE OF DEATH	37 FUNERAL DIRECTOR Signature		38 NAME OF FACILITY GARDNER FUNERAL HOME, INC.		39 DATE SIGNED MO. DAY YR 2-23-89		40 HOUR OF DEATH (24 HR) 0620		41 DATE SIGNED MO. DAY YR		42 HOUR OF DEATH (24 HR)	
INVESTIGATOR	43 NAME AND TITLE OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (IF P.D.) Raymond FitzSimmons, M.D.		44 NAME AND TITLE OF MEDICAL EXAMINER OR CORONER (IF P.D.) None		45 DATE SIGNED MO. DAY YR		46 HOUR OF DEATH (24 HR)					
PARTY	47 NAME AND ADDRESS OF CERTIFIER - PHYSICIAN, MEDICAL EXAMINER OR CORONER (IF P.D.) Raymond FitzSimmons, M.D., P.O. Box 1519 White Salmon, WA 98672		48 PARTIES ENTER THE DISEASES, INJURIES OR COMPLICATIONS WHICH CAUSED THE DEATH. DO NOT ENTER THE MODE OF DYING SUCH AS CARDIAC OR RESPIRATORY ARREST, SHOCK, OR HEART FAILURE LIST ONLY ONE CAUSE ON EACH LINE									
IMMEDIATE CAUSE	49 IMMEDIATE CAUSE (Final disease or condition resulting in death) Sequentially list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury which initiated events resulting in death) LAST		50 DUE TO OR AS A CONSEQUENCE OF a. Cardiac - Respiratory Arrest		51 DUE TO OR AS A CONSEQUENCE OF b. LUNG CANCER		52 INTERNAL BETWEEN ONSET AND DEATH Minutes		53 INTERNAL BETWEEN ONSET AND DEATH 2 years		54 INTERNAL BETWEEN ONSET AND DEATH	
OTHER CONDITIONS	55 OTHER SIGNIFICANT CONDITIONS - CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN ABOVE		56 AUTOPSY DATE MO. DAY YR No		57 DESCRIBE HOW INJURY OCCURRED		58 WAS CASE REFERRED TO MEDICAL EXAMINER OR CORONER (Y/N) No					
INVESTIGATOR	59 INJURY AT WORK (Y/N) EST		60 PLACE OF INJURY - AT HOME, FARM, STREET, FACTORY, OFFICE Bldg. Etc. (SPECIFY)		61 LOCATION - STREET OR RD. NO. CITY, TOWN, STATE		62 DATE RECEIVED MO. DAY YR 2-22-89					
63 DSHS 9-150 (Rev. 1-86) -1187												

SO. HEALTH DISTRICT
WASHINGTON

SEAL

By

Deputy Registrar

KAREN R. STEINGART, M.D.
District Health Officer

SKAMANIA COUNTY
ORIGINAL FILED
AUG 11 1989
Terena E. Hollis, Clerk

LAST WILL AND TESTAMENT

OR

CLARENCE EMIL SPITLER

89-4-00018-0

KNOW ALL MEN BY THESE PRESENTS, That I, CLARENCE EMIL SPITLER, of Stevenson, Skamania County, Washington, being of sound and disposing mind and not acting under duress, menace, fraud or the undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament.

ARTICLE I
Identification of Family

My immediate family now consists of my wife, ELSIE ANNA SPITLER, my son, RICHARD WHITNEY SPITLER, born December 11, 1951, and my daughter, JO ELLEN SIMLER, born December 1, 1946. The provisions of this will in respect of my children and their issue shall apply not only to my children named above and their issue, but also to any and all children who may now or hereafter be born to or adopted by me and their issue.

ARTICLE II
Deceased Children

I declare that I have no deceased children.

ARTICLE III
Personal Representative

I hereby nominate and appoint my wife, ELSIE ANNA SPITLER, executrix of this my Last Will and Testament, to act without bond. In the event that my wife, Elsie Anna Spitler, is for any reason unable or unwilling to act as executrix hereof, I nominate and appoint my son, RICHARD WHITNEY SPITLER, to act as alternate executor hereof, also without bond. In the event that my son, Richard Whitney Spitler, is for any reason unable or unwilling to act as executor hereof, I nominate and appoint my daughter, JO ELLEN SIMLER, to act as alternate executrix hereof, also without bond.

ARTICLE IV
Nonintervention of Court

I direct that my estate be settled without the intervention of any court, except to the extent required by law, and that my executor or executrix settle my estate in such manner as shall seem best and most convenient to him or to her, and I hereby empower my executor or executrix to mortgage, lease, sell, exchange and convey the personal and real property of my estate without an order of court for that purpose and without notice, approval or confirmation, and in all other respects to administer and settle my estate without the intervention of court.

ARTICLE V
Claims Against Estate

I hereby direct and order that all just debts for which proper claims are filed against my estate, and the expenses of my last

Clarence Emil Spitler

Illness and funeral, be paid by my executor or executrix as soon after my death as is practicable; provided, however, that this direction shall not authorize any creditor to require payment of any debt or obligation prior to its normal maturity in due course.

ARTICLE VI

Taxes

I direct that all estate, succession, legacy, inheritance or other transfer taxes, however designated, that shall become payable by reason of my death, whether attributable to property passing under this will or outside of it, shall be paid out of the residue of my estate, with no right of reimbursement from the recipient of any property which does not pass thereunder, it being my intent that such taxes be treated as an expense of administration of my estate.

ARTICLE VII

Provision for Wife

I have previously entered into a Community Property Agreement with my wife, ELSIE ANNA SPITLER. I hereby affirm said agreement in all respects, but if for any reason said agreement should fail, I give, devise and bequeath all my estate, whether real or personal, and wheresoever situated, to my wife, if she survives me by a period of sixty (60) days. It is my intention by this will to give, devise and bequeath all my estate, including any interest I may have which may not be disposed of by our Community Property Agreement, to my wife, if she survives me by a period of sixty (60) days.

ARTICLE VIII

Alternate Distribution

A. I make no bequest, gift or devise to any person or institution, or to any child or children hereafter born to or adopted by me, except as herein stated.

B. In the event that my wife, Elsie Anna Spitzer, shall predecease me, or if she shall not survive me by a period of sixty (60) days (hereinafter referred to as "that event"), then and in that event I give, devise and bequeath the residue of my estate as follows:

1. To my son, RICHARD WHITNEY SPITLER, I give one-half ($\frac{1}{2}$), per stirpes. Should my said son predecease me, leaving no issue, I direct that his share under this, my Last Will and Testament, shall pass to his wife, Yvonne Spitzer.

2. To my daughter, JO ELLEN SIMLER, I give one-half ($\frac{1}{2}$), per stirpes. Should my said daughter predecease me, leaving no issue, I direct that her share under this, my Last Will and Testament, shall pass to her husband, Edward Simler.

3. In the event that both my son and his said wife shall predecease me, leaving no issue, then and in that event I give, devise and bequeath all of the rest, residue and remainder of my estate to my daughter, Jo Ellen Simler, per stirpes, and if she shall also predecease me leaving no issue, then to her husband, Edward Simler.

4. In the event that both my daughter and her said husband shall predecease me, leaving no issue, then and in that event I give, devise and bequeath all of the rest, residue and remainder of my estate to my son, Richard Whitney Spitzer, per stirpes, and if he shall also predecease me leaving no issue, then to his wife, Yvonne Spitzer.

Clarence Emil Spitzer

5. In the event that my son and his wife and my daughter and her husband shall all predecease me, leaving no issue, then and in that event I give, devise and bequeath all of the rest, residue and remainder of my estate to the UNITED METHODIST CHURCH of Stevenson, Washington, or its successor.

ARTICLE XI
Residue Defined

The residue of my estate, as that term is used in this Will, shall mean all of the property which I may own at the time of my death and which remains after payment of all claims, expenses, and other liabilities of my estate, other than estate, inheritance and succession taxes, and shall include all property of whatever nature and wherever situated, including all gifts made by this Will which fail for any reason.

ARTICLE XII
Revocation of Former Wills

I hereby revoke any and all former Wills by me made and declare this my Last Will and Testament.

IN WITNESS WHEREOF, I have hereto set my hand this 4th day of June, 1984.

Clarence Emil Spitzer
Testator

STATE OF WASHINGTON)

) ss.

AFFIDAVIT OF WITNESSES

County of Skamania)

The undersigned attesting witnesses, being duly sworn, on oath, depose and state:

1. DECLARATIONS: Immediately prior to the execution of the attached document dated June 4, 1984, the Testator, CLARENCE EMIL SPITLER, declared it to be his last Will and Testament and requested the undersigned witnesses to subscribe their names to it.

2. SIGNATURE, ATTESTATION AND SUBSCRIPTION: Immediately following his declaration the Testator signed the attached Will in the presence of the undersigned witnesses. Each of the undersigned witnesses attested the execution thereof by subscribing his name thereto in the presence of the Testator and of the other subscribing witness.

3. COMPETENCY: Each of the undersigned witnesses, for himself, states that he is competent and of legal age, and that the other subscribing witness and the Testator appeared to be of legal age, competent and of sound mind, and the Testator further appeared to be able fully to dispose of his estate and to be acting of his own free will and without duress.

The Testator requested that this affidavit in proof of his

Clarence Emil Spitzer

attached will be made by the undersigned subscribing witnesses there-
to.

Witness:

Residing at: Stevenson, Washington

Witness:

Residing at: Stevenson, Wash.

SUBSCRIBED AND SWORN to before me this 4th day of June, 1984.

Notary Public in and for the
State of Washington, residing
at Washougal.

Clarence Emil Spitler

STATE OF IDAHO
DEPARTMENT OF HEALTH AND WELFARE



COOPERATIVE CENTER FOR
HEALTH STATISTICS - VITAL
STATISTICS

150 W. STATE ST.
BOISE, IDAHO 83720

CERTIFICATE OF DEATH

DATE FILED: JULY 05, 1989

STATE FILE NUMBER: 89-03439

DECEDENT: ELSIE ANNA SPITLER

DATE OF DEATH: JUNE 25, 1989

PLACE OF DEATH: TWIN FALLS, IDAHO

DATE OF BIRTH: NOV. 29, 1918

PLACE OF BIRTH: ALBERTA

AGE: 70 YEARS SEX: FEMALE

VETERAN? NO

MARITAL STATUS: WIDOWED

SURVIVING SPOUSE:

SOCIAL SECURITY NUMBER: 535-20-7132 RESIDENCE: STEVENSON, WASHINGTON

FATHER: JAMES THARP

TWIN FALLS, IDAHO

FATHER'S BIRTHPLACE: UNKNOWN

DISPOSITION: REMOVAL

MOTHER (MAIDEN): ANNA LYEBARGER

AUTOPSY: NO

MOTHER'S BIRTHPLACE: UNKNOWN

INTERVAL

MORTUARY: WHITE MORTUARY, INC.

MINUTES

MORTICIAN: LEWIS A. LENKER

YEARS

CERTIFYING CORONER: RICK ROUTT

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:
MYOCARDIAL INFARCTION
COPD

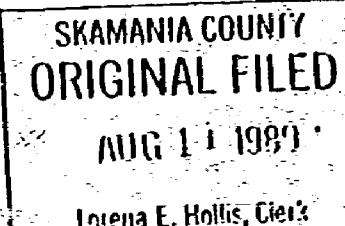
2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:
NONE LISTED

DATE ISSUED: 07/07/89

DO NOT ACCUMULATE ON SECURE PAPER WITH EMBOSSED SEAL OF IDAHO
DEPT. OF HEALTH & WELFARE CLERK'S OFFICE

DEPARTMENT OF HEALTH AND WELFARE

162300



LAST WILL AND TESTAMENT

OP

ELSIE ANNA SPITLER

89-4-00019-8

KNOW ALL MEN BY THESE PRESENTS, That I, ELSIE ANNA SPITLER, of Stevenson, Skamania County, Washington, being of sound and disposing mind and not acting under duress, menace, fraud or the undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament.

ARTICLE I
Identification of Family

My immediate family now consists of my husband, CLARENCE EMIL SPITLER, my son, RICHARD WHITNEY SPITLER, born December 11, 1951, and my daughter, JO ELLEN SIMLER, born December 1, 1946. The provisions of this Will in respect of my children and their issue shall apply not only to my children named above and their issue, but also to any and all children who may now or hereafter be born to or adopted by me and their issue.

ARTICLE II
Deceased Children

I declare that I have no deceased children.

ARTICLE III
Personal Representative

I hereby nominate and appoint my husband, CLARENCE EMIL SPITLER, executor of this my Last Will and Testament, to act without bond. In the event that my husband, Clarence Emil Spitzer, is for any reason unable or unwilling to act as executor hereof, I nominate and appoint my son, RICHARD WHITNEY SPITLER, to act as alternate executor, also without bond. In the event that my son, Richard Whitney Spitzer, is for any reason unable or unwilling to act as executor hereof, I nominate and appoint my daughter, JO ELLEN SIMLER, to act as alternate executrix hereof, also without bond.

ARTICLE IV
Nonintervention of Court

I direct that my estate be settled without the intervention of any court, except to the extent required by law, and that my executor or executrix settle my estate in such manner as shall seem best and most convenient to him or to her, and I hereby empower my executor or executrix to mortgage, lease, sell, exchange and convey the personal and real property of my estate without an order of court for that purpose and without notice, approval or confirmation, and in all other respects to administer and settle my estate without the intervention of court.

ARTICLE V
Claims Against Estate

I hereby direct and order that all just debts for which proper claims are filed against my estate, and the expenses of my last

Elsie Anna Spitzer

illness and funeral, be paid by my executor or executrix as soon after my death as is practicable; provided, however, that this direction shall not authorize any creditor to require payment of any debt or obligation prior to its normal maturity in due course.

ARTICLE VI Taxes

I direct that all estate, succession, legacy, inheritance or other transfer taxes, however designated, that shall become payable by reason of my death, whether attributable to property passing under this Will or outside of it, shall be paid out of the residue of my estate, with no right of reimbursement from the recipient of any property which does not pass thereunder, it being my intent that such taxes be treated as an expense of administration of my estate.

ARTICLE VII Provision for Husband

I have previously entered into a Community Property Agreement with my husband, CLARENCE EMIL SPITLER. I hereby affirm said agreement in all respects, but if for any reason said agreement should fail, I give, devise and bequeath all my estate, whether real or personal, and wheresoever situated, to my husband, if he survives me by a period of sixty (60) days. It is my intention by this Will to give, devise and bequeath all my estate, including any interest I may have which may not be disposed of by our Community Property Agreement, to my husband, if he survives me by a period of sixty (60) days.

ARTICLE VIII Alternate Distribution

A. I make no bequest, gift or devise to any person or institution, or to any child or children hereafter born to or adopted by me, except as herein stated.

B. In the event that my husband, Clarence Emil Spitler, shall predecease me, or if he shall not survive me by a period of sixty (60) days (hereinafter referred to as "that event"), then and in that event I give, devise and bequeath the residue of my estate as follows:

1. To my son, RICHARD WHITNEY SPITLER, I give one-half ($\frac{1}{2}$), per stirpes. Should my said son predecease me, leaving no issue, I direct that his share under this, my Last Will and Testament, shall pass to his wife, Yvonne Spitler.

2. To my daughter, JO ELLEN SIMLER, I give one-half ($\frac{1}{2}$), per stirpes. Should my said daughter predecease me, leaving no issue, I direct that her share under this, my Last Will and Testament, shall pass to her husband, Edward Simler.

3. In the event that both my son and his said wife shall predecease me, leaving no issue, then and in that event I give, devise and bequeath all of the rest, residue and remainder of my estate to my daughter, Jo Ellen Simler, per stirpes, and if she shall also predecease me leaving no issue, then to her husband, Edward Simler.

4. In the event that both my daughter and her said husband shall predecease me, leaving no issue, then and in that event I give, devise and bequeath all of the rest, residue and remainder of my

Clarence Spitler

estate to my son, Richard Whitney Spitzer, per stirpes, and if he shall also predecease me leaving no issue, then to his wife, Yvonne Spitzer.

5. In the event that my son and his wife and my daughter and her husband shall all predecease me, leaving no issue, then and in that event I give, devise and bequeath all of the rest, residue and remainder of my estate to the UNITED METHODIST CHURCH of Stevenson, Washington, or its successor.

ARTICLE XI
Residue Defined

The residue of my estate, as that term is used in this will, shall mean all of the property which I may own at the time of my death and which remains after payment of all claims, expenses, and other liabilities of my estate, other than estate, inheritance and succession taxes, and shall include all property of whatever nature and wherever situated, including all gifts made by this will which fail for any reason.

ARTICLE XII
Revocation of Former Wills

I hereby revoke any and all former Wills by me made and declare this my Last Will and Testament.

IN WITNESS WHEREOF, I have hereto set my hand this 4th day of June, 1984.

Elsie Anna Spitzer
Testatrix

STATE OF WASHINGTON,

ss:

County of Skamania

AFFIDAVIT OF WITNESSES

The undersigned attesting witnesses, being duly sworn, on oath, depose and state:

1. **DECLARATIONS:** Immediately prior to the execution of the attached document dated June 4, 1984, the Testatrix, ELSIE ANNA SPITLER, declared it to be her Last Will and Testament and requested the undersigned witnesses to subscribe their names to it.

2. **SIGNATURE, ATTESTATION AND SUBSCRIPTION:** Immediately following her declaration the Testatrix signed the attached Will in the presence of the undersigned witnesses. Each of the undersigned witnesses attested the execution thereof by subscribing his name thereto in the presence of the Testatrix and of the other subscribing witness.

3. **COMPETENCY:** Each of the undersigned witnesses, for himself, states that he is competent and of legal age, and that the other subscribing witness and the Testatrix appeared to be of legal age, competent and of sound mind, and the Testatrix further appeared to be able fully to dispose of her estate and to be acting of her own free will and without duress.

The Testatrix requested that this affidavit in proof of her

Attached Will be made by the undersigned subscribing witnesses there-
to.

Witness: Dorothy D. Spitzer

Residing at: Alverson, Washington

Witness: Mary R. Ferguson

Residing at: Alverson, Wash.

SUBSCRIBED AND SWORN to before me this 4th day of June, 1984.

Ronald L. Miller
Notary Public in and for the
State of Washington, residing
at Washougal.