

FILED FOR RECORD
SKAMANIA CO. WASH
BY MARLENE C. ACKER

Last Will and Testament

of

MAY 9 3 14 PM '86

HAROLD W. ACKER, JR.

AUDITOR

GARY M. OLSON

I, HAROLD W. ACKER, JR. of Skamania County, Washington, presently residing at M. P. 1.01 R. Washougal River Road, Washougal, being over the age of majority, of sound and disposing mind and memory, and not acting under any duress, menace, fraud or undue influence, do make, publish and declare this to be my Last Will and Testament, hereby annulling, canceling and revoking any and all former wills and codicils thereto made by me at any time.

ARTICLE I. GENERAL MATTERS AND INFORMATION

Section 1. Family. My family consists of my wife, Marlene Claire Acker and our only surviving child Linda Dynes, age 29. I have no other children, either natural or adopted.

Section 2. Payment of Debts. I hereby direct and order that all just debts for which proper claims are filed against my estate and the expenses of my last illness and funeral be paid by my personal representative 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.

Section 3. Community Property Agreement. I further state that in conjunction with the preparation and execution of this will I have entered into a community property agreement with my wife, Marlene Claire Acker, and the preparation and execution of this will by me does not in any way refute the community property agreement. It is my intent that if at the time of my death my wife survives me, she may take the assets of our estate either in accordance with the community property agreement heretofore agreed to, or under the terms of this will, or through using a combination of both instruments, depending upon which instrument or method suits her interests best at the time of my death.

Section 4. Social Security Number. My Social Security Number is 533 - 30 - 3770.

ARTICLE II. PERSONAL REPRESENTATIVE

Section 1. Appointment. I hereby appoint my wife, Marlene Claire Acker as my personal representative to administer this my Last Will and Testament, if she survives me. In the event that she fails to survive me or in the event that we die simultaneously or as a result of a common disaster, or she is unable or unwilling to act for any reason, then I hereby appoint my daughter, Linda L. Dynes to act as my personal representative.

Section 2. Court Intervention. I direct that my estate be settled in the manner provided for in this will without the intervention of any court or courts insofar as may be conformable to law, it being my intention that my estate be settled in accordance with Chapter 11.68 of the Revised Code of Washington, and such acts and decisions as may be amendatory or declaratory thereof.

Section 3. Powers. Without limiting the generality of the foregoing, my personal representative or the successor or substitute shall, in carrying out the provisions of this will, and in otherwise administering my estate, have full and plenary power, authority and discretion without court authorization, confirmation or intervention to do all that may to her (Marlene C. Acker or Linda L. Dynes) seem necessary or desirable in managing, conserving and distributing the assets of my estate during the administration thereof.

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Section 4. Bond. I direct that no bond be required of my personal representative or the successor or substitute in this or in any other jurisdiction.

ARTICLE III. DISPOSITION OF PROPERTY

Section 1. Principal Beneficiary. I hereby give, devise and bequeath to my wife, Marlene Claire Acker, if she survives me, all of the property which I may own in full or in part or to which I may be entitled at the time of my death, real, personal, and mixed, and wherever situated, including therein all property with respect to which I may then have any power of appointment. I have in mind our daughter, and I make no provision for her in this paragraph, for I know that my wife will adequately provide for her in the event of my death.

Section 2. Contingent Beneficiary. In the event that my wife, Marlene Claire Acker, fails to survive me, or in the event that we die simultaneously or as a result of a common disaster, then I give, devise and bequeath all of the property which I may own, in whole or in part, or to which I may be entitled at the time of my death, real, personal and mixed, and wherever situated, including therein all property with respect to which I may then have any power of appointment, to my daughter, Linda Lee Dynes. In the event that Linda Lee Dynes should fail to survive me, or in the event that we should die simultaneously or as a result of a common disaster, then I give, devise and bequeath to the child or children then living of said deceased child, whether heretofore or hereafter born to or adopted, to be divided among them equally, share and share alike.

IN WITNESS WHEREOF, I have hereto set my hand this 9th day of May 1986, at Stevenson, Shamaine County, Washington.

Harold W. Acker, Jr.
Harold W. Acker, Jr., Testator

The foregoing instrument, consisting of three pages, including the attached Request of Testator and Affidavit for Proof of Will, was on this 9th day of May, 1986, Signed by Harold W. Acker, Jr. and declared by him to be his Last Will and Testament, in the presence of us, the undersigned, who, at his request and in his presence and in the presence of each other, and believing him to be of sound and disposing mind and memory, and not acting under any duress, menace, fraud or undue influence, have subscribed our names as witnesses to such Last Will and Testament, together with our addresses.

Virginia C. Salvesen

Address Box 425
Stevenson, Wa.

Emilee B. Musford

Address 777 P.O. Box 7 R Major St
Stevenson, Wa.

Marlene M. Leek

Address Box 204 Corner Rd
Underwood, Wa.

REQUEST OF TESTATOR FOR AFFIDAVIT FOR PROOF OF WILL

I, the testator named above, on this date hereby request that the attesting witnesses to my Last Will and Testament make an affidavit before a Notary Public stating such facts as they would be required to testify to in court in order to prove my will and have it admitted to probate.

Harold W. Acker, Jr.
Harold W. Acker, Jr.

State of Washington)
 : ss.
County of Skamania)

The undersigned, of lawful age and competent to testify, being duly sworn, each for himself, state as follows:

1. The above Last Will and Testament of Harold W. Acker, Jr. and his request for Affidavit for Proof of Will were signed and executed by the testator in our presence.
2. The testator published the instrument as, and declared it to be, his Last Will and Testament and requested us to sign the same as witnesses. At the request and in the presence of the testator and in the presence of each other, the other witness and I subscribed our names as witnesses thereto.
3. At the time of executing the document, testator and witnesses were of the age of majority, and the testator appeared to be of sound and disposing mind and memory and not acting under any duress, menace, fraud, undue influence or misrepresentation.
4. This affidavit is made pursuant to the request of the testator named above and is made to comply with RCW 11.20.020.

Virginia C. Salnesen Ernest T. McFarland
Sharon M. Seal

Subscribed and sworn to before me this 9 day of MAY, 1986.

Gary Olson
Notary Public in and for the State of
Washington, residing at NORTH BONNEVILLE.

