

DUPLICATE PAGE NUMBER

LAST WILL AND TESTAMENT

OF

BEN D. ROTH

KNOW ALL MEN BY THESE PRESENTS:

That I, BEN D. ROTH, being of sound mind and memory, do make and publish this, my Last Will and Testament. I do declare that any previous wills, testaments, or codicils that I may have made are set aside and superseded by this Will.

I.

I do declare that I am a married man and that GLENYS A. ROTH is my wife. I have three children, DONF OBER, DENNIS ROTH and BRENT ROTH.

II.

Immediately after my death, I direct that the Personal Representatives of my estate arrange for interment as the family may desire having in mind that I do not wish an expensive funeral. They shall pay my debts of last expense and any other debt and then convert my estate to such an investment and payment plan for the support of my wife.

III.

I hereby give the beneficial interest in all of my property, of whatever nature, to my wife subject to the following trust provisions.

I hereby vest all of my property in DONEEN OBER and BRENT ROTH, at the time of my death, in trust, never-the-less for the use and benefit of my wife. I direct that the trustees, or the successor of them shall use first the interest on other income from my estate, and

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then the corpus of it, if necessary, to provide for the maintenance of the present family home, (or any replacement place of living to which the trustees and my wife shall agree), and such a standard of living for my wife as they, in their sole discretion, believe that I would have provided if I were still living.

IV.

I have placed all of my personal property except furniture, automobile, and some other tangible possessions, in the hands of my trustees. I recognize that a portion of the money and investment items belongs to my wife as community property but I ask my wife and any court which may become involved to recognize that those monies were saved by close control by me over some unfortunate personal problems and that they should be used by my trustees to assist my wife for whom my love and concern have brought about this Trust.

V.

I purposely avoid providing alternate or successor disposition of my estate, trusting that my wife shall survive me and should have the right to make her own Will to dispose of any remainder of my estate which is unused at the time of her death.

VI.

I hereby designate DOMEN OBER and BRENT ROTH as the Personal Representatives of my estate. I direct that they shall not be required to furnish bond either as Trustees or Representatives.

I request that my estate and the above mentioned trust be administered without intervention of any court except as required by law.

IN WITNESS WHEREOF, I have hereunto set my hand to this, my Last Will and Testament, this 1st day of May, 1984.

Ben D. Roth
BEN D. ROTH

The foregoing Last Will and Testament of BEN D. ROTH, consisting of two pages besides this, was at the date thereof signed, sealed and published by him, and declared by him to be his Last Will and Testament, in the presence of us, who at his request and in his presence, and in the presence of each other, and he, at the time of executing this Will, was of sound and disposing mind and memory and was not acting under duress, menace, fraud or the undue influence of any person or persons thence we have subscribed our names as witnesses thereto.

Hein Duggan

Residing at 1151 SE 82nd OR Chalmers OR 97006

Elmer B. Canaday

Residing at 325 SE 5th P. West Rd Scappoose Or.
97056

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