

113078

LAST WILL AND TESTAMENT BOOK 127 PAGE 661

OF

RICHARD E. TEMPLIN and ELLEN B. TEMPLIN

KNOW ALL MEN BY THESE PRESENTS: That we, RICHARD E. TEMPLIN and ELLEN B. TEMPLIN, husband and wife, both of Skamania County, Washington, both being of lawful age, possessed of sound mind and memory and not under the influence of any persons whomsoever, but realizing the uncertainties of life, do make and declare this instrument to be jointly as well as severally our Last Will and Testament, hereby revoking all former Wills or Codicils by either of us.

We have heretofore executed a Community Property Agreement in accordance with the provisions of Section 26.16.120, Revised Code of Washington, whereby we agreed that all property now owned or hereafter to be acquired by either or both of us is declared to be our community property and upon the death of either the whole is to vest in the survivor as his or her separate property; and we declare it to be our purpose by execution of this joint Will to supplement that agreement as hereinafter provided.

I

In the event that our above-mentioned Community Property Agreement should, for any reason, be declared to be invalid, or inoperative, or ineffective as to a part of our property or the property of either of us, then upon the death of either of us, each of us gives, bequeaths and devises unto the survivor all of his or her property of whatever kind and wherever situated, to have and to hold as his or her sole and separate property.

II

Should events happen that would cause property to descend under Paragraph I hereof, then each of us hereby nominates and appoints the survivor to be and act as Executor of this, our Last Will and Testament, and directs that he or she be allowed to serve without bond; and we further direct that this Will shall be construed to be a Non-intervention Will and that it shall be settled without the intervention of any Court or Courts with the exceptions in and as provided by Chapter 11.68, Revised Code of Washington.

Richard E. Templin
Testator

Ellen B. Templin
Testatrix

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We direct that such Executor dispose of the body of decedent in such manner and cause such services to be held as he or she may deem appropriate, he or she bearing in mind the wishes and sentiments heretofore expressed by us and to be expressed by us from time to time.

We further direct that the just bills, obligations and expenses of last illness and funeral expenses of decedent be paid as soon after death as reasonably possible; provided, that this direction shall not authorize any creditor to require payment of any debt or obligations prior to its normal maturity in due course.

III

Except as provided in Paragraph IV hereof, we and each of us leave nothing to our children and grandson, namely, Patricia A. Kuhlman-Calkins, Richard W. Templin, Colleen Gunn, Dianna L. Randell, William E. Templin, and Gerald D. Boom, who is the son of Testatrix's deceased son, Gerald D. Sallee.

IV

In the event that we die simultaneously, or near simultaneously, or in or as a result of a common disaster, or in any event if we die within sixty (60) days of each other, then we direct that our above-mentioned Community Property Agreement and Paragraphs I and II of this, our Last Will and Testament, be treated as null and void and the following provisions be effective; or in the event that the survivor of us becomes vested of all of our property by virtue of our said Community Property Agreement and Paragraphs I and II of this, our Last Will and Testament, then each of us, if he or she becomes such survivor, declares the following provisions to be his or her Last Will and Testament:

A. We hereby nominate and appoint our daughter, Patricia A. Kuhlman-Calkins, to be and act as Executrix of this, our Last Will and Testament, and direct that said Executrix be allowed to

Richard E. Templin
Testator

Ellen B. Templin
Testatrix

serve without bond; and we further direct that this Will shall be construed as a Non-intervention Will and that it shall be settled without the intervention of any Court or Courts with the exception in and as provided by Chapter 11.68, Revised Code of Washington. In the event the said Patricia A. Kuhlman-Calkins shall fail for any reason to qualify and act as such Executrix, or having so qualified and acted, cease to act in such capacity, then we nominate and appoint our son, Richard W. Templin, as her alternate to be and act as Executor with the same powers, rights, discretions and exemptions as given to our first-named nominee.

B. We direct that our Executrix dispose of our bodies in such manner and cause such services to be held as our Executrix may deem appropriate, she bearing in mind the wishes and sentiments heretofore expressed by us and to be expressed by us from time to time.

C. We further direct that all of our just bills, obligations, expenses of our last illness and funeral expenses be paid as soon as reasonably practicable after our death; provided, that this direction shall not authorize any creditor to require payment of any debt or obligations prior to its normal maturity in due course.

D. Pursuant to RCW 11.12.255, we have prepared and signed a writing whereby we have provided for the disposition of our household goods and furniture, our personal effects, and other items of personal property. We expressly reserve the right to revoke, alter, amend, add to or strike from said extrinsic writing from time to time.

We hereby authorize and direct our Executrix, hereinbefore named, to deliver possession of the personal property specified in such extrinsic writing to the persons named therein in making distribution under this, our Last Will and Testament. We further absolve our said Executrix from all responsibility and liability in locating, marshalling and accounting for such personal property.

Richard E. Templin
Testator

Ellen B. Templin
Testatrix

All of our personal property not specifically mentioned in such extrinsic writing we give unto our Executrix, she to dispose of same as she, in her absolute discretion, shall determine after considering the personal preferences of any of our aforementioned children.

E. We give, devise and bequeath all the rest of our property, real, personal or mixed, and wherever situated, and all of our interest in any property of every kind, make and description, in equal shares, unto our children, namely, Patricia A. Kuhlman-Calkins, Richard W. Templin, Colleen Gunn and Dianna L. Randell, share and share alike.

This Will is entered into jointly by the Testator and Testatrix as a matter of convenience and nothing contained herein shall limit the power or right of either party to change or revoke this instrument as his or her Last Will and Testament with or without the consent of the other. It is further understood and agreed by the parties hereto that this instrument shall not be construed as restricting the right of the survivor of the parties in the use, alienation or disposition of the property of the deceased.

IN WITNESS WHEREOF, we have hereunto set our hands this 4th day of January, 1990.

Richard E. Templin
TESTATOR

Ellen B. Templin
TESTATRIX

STATE OF WASHINGTON)
) ss.
COUNTY OF CLARK)

The undersigned, each being first duly sworn, on oath deposes and says: That the foregoing instrument consisting of five (5) pages, including this page, was at the date thereof by RICHARD E. TEMPLIN and ELLEN B. TEMPLIN, the Testator and Testatrix named therein, signed, sealed and published as, and declared by them to be their Last Will and Testament, in the presence of us, and

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each of us, who at their request, and in their presence, and in the presence of each other, and who being of the opinion that they, at the time of executing this Will, were of sound and disposing mind and memory, and were not acting under duress, menace, fraud, or undue influence of any person, have subscribed our names as witnesses thereto.

Kathleen Williams RESIDING AT Camas, Washington.

Robert W. Allen RESIDING AT Vancouver, Washington.

SUBSCRIBED and SWORN to before me this 4th day of January, 1990.

John P. Hayes
Notary Public in and for the State of
Washington, Residing at Vancouver
My appointment expires: 10/27/93

FILED FOR RECORD
SKAMANIA CO. WASH.
BY Richard Templin

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P. Lowry
ADJUTOR
GARY M. OLSON

