

## IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

## IN AND FOR THE COUNTY OF CLARK

In the Matter of the Estate

of

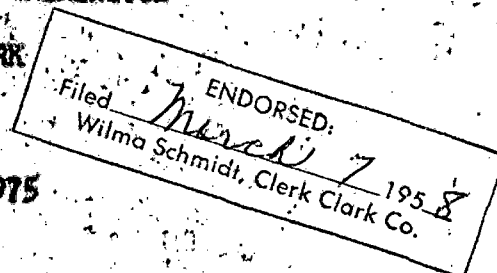
JAMES G. BORIN,

Decensed.

No. 14975

ORDER APPROVING FINAL ACCOUNT AND

DECREE OF DISTRIBUTION



This matter coming on regularly for hearing in Open Court on the Final Account and Petition for Distribution herein, the executrix appearing personally and with her attorneys, Hitchison & Blair, and the court having heard the evidence and being fully advised finds that:

I

Due and proper notice of this hearing has been given in the form and manner required by statute and court rules;

II

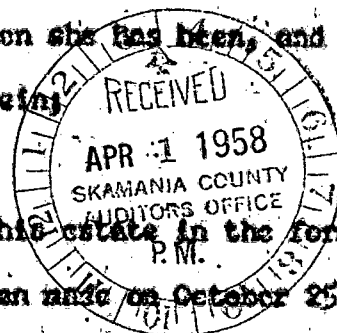
James G. Borin died testate on April 11, 1956, in Portland, Oregon, being at the time of his death a resident of Portland, Oregon, and leaving an estate subject to administration in Clark County, Washington, and the state of Washington which was partly community property of himself and Vera M. Borin, his surviving wife, together with separate property;

III

Decedent's Will was duly and regularly admitted to probate in the domiciliary state on the 2nd day of July, 1956, with the said Vera M. Borin the executrix thereof and thereafter on October 10, 1956, probate proceedings were initiated in Clark County, Washington, with Vera M. Borin confirmed as the executrix thereof and letters testamentary were issued on October 19, 1956, with Donald C. Blair appointed as her resident agent; that at all times since then she has been, and is now, the duly qualified, appointed and acting executrix herein;

IV

She gave notice of her appointment to creditors of this estate in the form and manner required by law, the first publication having been made on October 25, 1956, and the time for filing claims against this estate has wholly expired. No claims have been filed;



## V

This estate was appraised at \$99,097.46, and the inheritance tax to the State of Washington in the sum of \$340.86 has been paid and receipt showing full payment is filed herein. The Federal Estate Tax Return was filed in the District Directors Office, Portland, Oregon, showing no tax due; that a statement has been filed by the District Directors Office, Portland, Oregon acknowledging the acceptance of the report and that no tax was due as on file herein;

## VI

That during the administration of this estate the surviving spouse and executrix herein, has continued the operation of the business known as Borin Motor Company at 500 Columbia Street, Vancouver, Washington; that no detailed statement of receipts and disbursements of executrix as such was made, nor was one required for the reason that the executrix who is the surviving spouse and residuary devisee and legatee of James G. Borin, deceased, receives under this order all of the residue and remainder of the property in this estate, except for bequests of \$100.00 each to the decedent's four children; that there is on file herein receipts from each of the said children acknowledging receipt of \$100.00 from the executrix and waiving all and further accounting by the executrix to them in relation to this estate;

## VII

James G. Borin left surviving him his wife, Vera M. Borin, who resides in Portland, Oregon; a daughter, Ada Borin Petersen of Tigard, Oregon; a daughter, Louise Borin Fless of Portland, Oregon; a daughter, Vivian Faye Borin Barrows of Pilot Rock, Oregon; and, James O. Borin, son, now of Vancouver, Washington; all of whom are over the age of 21; all of whom are mentioned and provided for in his last will and testament. He left surviving him no children of deceased children nor had he ever adopted children; that all funeral bills and expenses of last sickness have been paid and accounted for in the Oregon Estate; that the expenses of administration of the Washington estate, including appraiser's fees have been paid or accounted for.

## VIII

In his Last Will and Testament, James G. Borin, bequeathed to his children named in paragraph VII above, \$100.00 each and he devised and bequeathed all the rest, residue and remainder of his estate to his wife, Vera M. Borin;

## IX

This estate is now ready to be distributed in accordance with decedent's last will and testament. The executrix should pay the reasonable sum of \$2130.70 to her attorneys for their services herein, and should reimburse them for the expenses of the administration in the sum of \$14.50 advanced by them; together with such other incidental expenses of transferring title to the property herein described, as may be incurred.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The executrix has performed each and every act and duty required of her, and her accounting as such executrix is hereby in all respects approved, confirmed and allowed.
2. All estate and inheritance taxes due and owing to the United States of America and the State of Washington have been paid and the acts of the executrix in respect to the payment of debts and taxes are hereby in all respects approved and confirmed.
3. The executrix is hereby authorized and directed to pay to Hutchison & Blair, for their services as her attorneys, the sum of \$2130.70, and to reimburse them for costs advanced amounting to \$14.50; and to pay and discharge all proper and further costs and expenses of transfer of title to the property hereinafter described.
4. The act of the executrix paying \$100.00 each to James O. Borin, Ada Borin Petersen, Louise Borin Fless, Vivian Fay Borin Barrows, as their inheritance under the terms of the decedent's last will and testament, receipts on file herein acknowledging by the parties named above of having received said inheritance, is hereby confirmed and approved.
5. The bank accounts held jointly in the name of the decedent and his surviving spouse, Vera M. Borin, with right of survivorship, located in the Clark



County Branch of the Seattle First National Bank, the Vancouver Branch of the Seattle First National Bank, and the Vancouver Branch of the National Bank of Commerce, are hereby acknowledged to be the sole and separate property of Vera M. Borin, and her right, title, and interest in and to said accounts is hereby approved and confirmed.

6. All the rest, residue and remainder of the property of this estate, to-wit:

(a) Real Property:

COUNTY OF COWLITZ, STATE OF WASHINGTON:

The South half of the North half of the Northwest quarter of the Northeast quarter ( $S\frac{1}{2}N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$ ); the South half of the Northwest quarter of the Northeast quarter ( $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$ ); the Southwest quarter of the Northeast quarter ( $SW\frac{1}{4}NE\frac{1}{4}$ ); the North half of the Northwest quarter of the Southwest quarter ( $N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$ ), all in Section 27, Township 6 North, Range 1 East of the W.M. excepting the reservation contained in that certain deed from the Northern Pacific Railway Company to Manuel H. Royer, dated August 2, 1909, and recorded in Book 48 at page 275, Records of Deeds of Cowlitz County, Washington. ALSO all that part of the Northeast quarter of the Northeast quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ ) of Section 27, Township 6, North Range 1, East of the W.M. that lies West of the County Road near the West side of said 40 acre tract, situate in Cowlitz County, Washington.

COUNTY OF SKAMANIA, STATE OF WASHINGTON:

(1)

Right to inherit from an unmarried son, W.E. Borin, who died in February 1940, and whose mother had predeceased him, an undivided one-half interest in and to the S.W.  $\frac{1}{4}$  of Section 3, Township 2 North, Range 5 East of the W.M.

(2)

The South  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  and the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  and the North  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$ , and the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , and the South  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 4, Township 2 North, Range 5 East of the W.M. containing 320 acres, more or less.

(3)

The fractional North  $\frac{1}{2}$  and all of the South  $\frac{1}{2}$  of Section 5, Township 2 North, Range 5 East of the W.M. containing 641.98 acres, more or less.

(4)

All of section 6, Township 2 North Range 5 East of W.M. containing 661.10 acres, more or less.

(5)

The East  $\frac{1}{2}$  of the East  $\frac{1}{4}$  and the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 7, Township 2 North, Range 5 East W.M. containing 200 acres, more or less.

(6)

All of Section 8, Township 2 North, Range 5 East of the W.M. containing 640 acres, more or less.

(7)

The North  $\frac{1}{2}$  of Section 9, Township 2 North Range 5 East W.M. containing 320 acres, more or less, according to the United States Government Survey; the lands conveyed being subject, however, to an easement in the public for any public roads heretofore laid out or established and now existing over and across any part of the premises.

(8)

The Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 10, Township 2, North, Range 5 East of the W.M. containing 40 acres.

(9)

Section 10, Township 2 North, Range 5 East W.M.; excepted therefrom the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said section. Right to inherit from an unmarried son, W.E. Borin, who died in February 1940, and whose mother had predeceased him, an undivided one-half interest in all of this parcel of land.

(10)

Right to inherit from an unmarried son, W.E. Borin, who died in February 1940, and whose mother had predeceased him, an undivided one-half interest in and to the Northwest  $\frac{1}{4}$  of Section 15, Township 2 North, Range 5 East W.M.

(11)

All of section 17, Township 2 North, Range 5 East of W.M. containing 640 acres, more or less.

(12)

The Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 20, Township 2 North, Range 5, East of W.M.

(13)

The Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and the South  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 27, Township 2 North, Range 5 East of W.M. and also the East half of the East half of the Northeast quarter of Section 27, Township 2 North, Range 5, East of the Willamette Meridian, containing 40 acres, more or less, EXCEPT County road, that lies West of the old Washougal River Road, together with the Northerly 20 feet of the East half of the Northeast quarter of the Southeast quarter of above section. This property is free and clear in every respect.

SUBJECT to power lines and restrictions of record.

#### COUNTY OF THURSTON, STATE OF WASHINGTON:

The Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section 16, Township 16 North, Range 2 West W.M. together with all of grantor's interest in the Northwest quarter of the Southeast quarter of said section 16 under lease from State of Washington.

#### COUNTY OF CLARK, STATE OF WASHINGTON:

All of Lot Six (6) of Block Twenty-three (23) West Vancouver, an addition to Vancouver, Washington, excepting the following part of said lot: Beginning at the Southwest corner of said Lot 6 of Block 23, West Vancouver, an addition to Vancouver, Washington, and running thence North 50 feet; thence East 25 feet; thence South 50 feet to the South boundary of line of said lot; thence West along the South Boundary line of said lot to the point of beginning.

SELLER'S INTEREST in and to the following described real estate;

1.

Lots 3, 4, 5, and 6, Block 2 Minnehaha Park Addition, to the City of Vancouver, Washington, according to the duly recorded plat thereof.

EXCEPT that portion of lots conveyed to Clark County, Washington, by deeds recorded in the office of the Auditor of said Clark County, as Auditor's File No. D-26578 and F-28982.

2. Subdivision No. 7

North Thirteen (13) Acres, more or less of that part of the Northeast quarter (NE $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section Seven (7) Township Four (4) North of Range Three (3) East of the W.M. lying West of Kelly Road.

(b) Other Property:

The Borin Motor Company at 500 Columbia Street, Vancouver, Washington, including office equipment, shop equipment, shop inventory, lease-hold interest, accounts receivable and payable, new and used trucks, franchises and any other miscellaneous assets being a part of said motor company.

(c)

All other property not known or described, belonging to this estate or in which this estate may have an interest, together with the property listed hereinabove described, to Vera M. Borin, surviving spouse of James G. Borin, deceased,

is herein distributed to Vera M. Borin, surviving spouse of James G. Borin, as her sole and separate property.

7. Upon payment of the executrix of the fees and costs of the administration of this estate herein referred to, and upon distribution of the remainder of the property as herein provided, and the filing of receipts therefor in this court, the executrix may be discharged and this estate closed.

DONE in Open Court this 7th day of March, 1958.

J. L. Langsdorf  
JUDGE

Presented by:

*/ Donald C. Blair*  
HUTCHISON & BLAIR  
Attorneys at Law  
501 West 12 Street  
Vancouver, Washington

The foregoing instrument has been compared and is a true and correct transcript of the original thereof on file in the records of my office.

Dated this 7th day of March, 1958

WILMA SCHMIDT  
County Clerk and Ex-Officio Clerk of the Superior Court of the State of Washington in and for the County of Clark.

By Phyllis Armstrong Dep.