

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KLIKITAT

In the Matter of the Estate

) No. 3727

of

) ORDER APPROVING FINAL REPORT
AND DECREETING DISTRIBUTION

HENRY KAPP, Deceased.

)

This matter coming on regularly for hearing on the final report and petition for distribution herein; the executrix appearing personally and with her attorney, Ned Hall; the Court having heard the evidence and being fully advised finds:

I.

That due and proper notice of this hearing has been given in the manner and form required by law.

II.

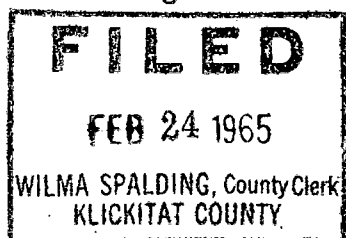
That Henry Kapp died testate January 9, 1963 in Skamania County, Washington, being at the time of his death a resident of White Salmon, Klickitat County, Washington, and leaving an estate subject to administration in said counties, which was the community property of himself and Erma M. Kapp, his surviving wife.

III.

That decedent's Will was duly and regularly admitted to probate, and Erma M. Kapp qualified as executrix and is now the duly appointed, qualified and acting executrix herein.

IV.

That she gave notice of her appointment and to creditors in the manner and form required by law, the first publication being more than six months prior to the filing of the final report herein, and that three claims were filed:



Gardner's Funeral Service	777.46
Uptown Flower Shop	36.40
Erma M. Kapp, including:	
Telephone	32.07
P.U.D.	9.66
Mayflower Farms	7.28
Town of White Salmon	9.05
	58.06

and that said claims have been paid and payment is approved.

V.

That the estate was appraised at \$123,027.06; that inheritance tax due the State of Washington in the sum of \$884.31 has been paid; that federal estate tax in the sum of \$416.00 has been paid and receipts therefor are filed herein.

VI.

That the accounting of the executrix correctly sets forth receipts and disbursements made by her to date; that subsequent to the filing of the report notice of hearing was published at a cost of \$ 900; that the accounting shows the executrix has cash on hand in the sum of \$5901.82, less the afore-said publication cost.

VII.

That decedent left surviving him his wife, Erma M. Kapp, White Salmon, Washington; a daughter, Shirley Ann Kapp Azure, White Salmon, Washington; and two sons, David Henry Kapp of Enumclaw, Washington, and Jack Duane Kapp of Cheney, Washington; that all said persons are over the age of twenty-one years; that there are no deceased children.

VIII.

That in his Last Will he bequeathed to his wife the home, household furniture and furnishings, family automobile and his personal effects and the remainder of his community estate he left to his wife in trust, with the right under the Will and State statute to hold, manage, sell, invest and reinvest in her discretion, and with the right to use the net income from the trust as she

may desire, and on her death all of the property then remaining in the trust estate to go to the three said children share and share alike, and if any child predeceases the wife, then such child's share to go to his descendants per stirpes.

IX.

That the estate is now ready to be distributed; that \$3550.00 is a reasonable attorney's fee; that payment of other expenses of probate have been made, now, therefore,

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. That the executrix has performed every act required of her, and her accounting is hereby approved in all respects and allowed.
2. That all creditor's claims and taxes due the United States and the State of Washington have been paid, and such payment is hereby approved.
3. That the payment of attorney's fees and costs of probate as herein set forth out of funds on hand in the estate is hereby approved and confirmed.
4. That the following property is hereby distributed to the surviving spouse as her sole and separate property, to-wit:

The following described real property situate in Klickitat County, Washington, to-wit:

Lot 7 and Lot 8, Block 2, Bowman's Addition to White Salmon, Washington.

Household furniture and furnishings situated on property above described.

Also 1955 Oldsmobile automobile, Identification No. 558C19537.

Also decedent's wearing apparel, jewelry, articles of personal use and recreation and enjoyment.

5. That all of the rest, residue and remainder of the property of this estate, consisting of the following described real property situate in Skamania County, Washington, to-wit:

A. S 1/2 S 1/2 SE 1/4, Sec. 1, Twp. 3 North, Range 9, East of the Willamette Meridian.

B. SW 1/4 SW 1/4 and that part of N 1/2 SW 1/4 south of Buck Creek in Sec. 3, Twp. 3 North, Range 10, E.W.M.

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- C. SE 1/4 NW 1/4; SW 1/4 SE 1/4; E 1/2 SW 1/4 and S 1/2 SW 1/4 SW 1/4, Sec. 4, Twp. 3 North, Range 10 E.W.M.
- D. SE 1/4 NE 1/4, W 1/2 NE 1/4, NE 1/4 NE 1/4, NE 1/4 NW 1/4 and SW 1/4 SE 1/4, Sec. 9, Twp. 3 North, Range 10, E.W.M. EXCEPT that part conveyed to U.S. for Bonneville power line.
- E. E 1/2 NE 1/4 SE 1/4, Sec. 9, Twp. 3 North, Range 10 E.W.M. EXCEPT tract conveyed to U.S. for Bonneville power line.
- F. W 1/2 W 1/2, Sec. 10, Twp. 3 North, Range 10 E.W.M. EXCEPT tract conveyed to U.S. for Bonneville power line.
- G. SE 1/4 NW 1/4, Sec. 10, Twp. 3 North, Range 10 E.W.M. EXCEPT that part within 200 feet of the center line of the White Salmon River.
- H. E 1/2 SW 1/4, Sec. 10, Twp. 3 North, Range 10 E.W.M., EXCEPT 1 acre in SE corner deeded to Charles Rosenkranz and EXCEPTING that part of NE 1/4 SW 1/4 lying within 300 feet of center line of White Salmon River and EXCEPTING a 10-foot strip of land conveyed to Josephine Boersig for road purposes; EXCEPTING also tract conveyed to U. S. for Bonneville power line.
- I. Beginning at the S. line of the E 1/2 SW 1/4 of Sec. 10 T.3 N. R. 10 E.W.M. at its intersection with the center of Beebe & Love Extension Road; thence N. 10 ft. thence E. 10 feet from and parallel to the S. line of said E 1/2 SW 1/4 of Sec. 10 to the W line of a one acre tract conveyed to Charles Rosenkranz; thence S along the W line of said one acre tract to said S line of E 1/2 SW 1/4; thence W to beginning. ALSO W 1/2 SE 1/4 of Sec. 10, Twp. 3 North, Range 10 E.W.M. ALSO beginning at 1/4 corner of Secs. 10 and 15, Twp. 3 North, Range 10 E.W.M.; thence N 88°56' W 4.14 chains; thence N 1°04' E 2.41 1/2 chains; thence S 88°56' E 4.14 chains; thence S 1°04' W 2.41 1/2 chains to initial point; EXCEPT that part of NW 1/4 SW 1/4 of Sec. 10, Twp. 3 North, Range 10 E.W.M. on Westerly side of White Salmon River within 400 feet from center of river. EXCEPTING also tract conveyed to U.S. for Bonneville power line.
- J. Beginning at the middle of Section 15, Twp 3 north, Range 10 E.W.M.; thence N 49 rods; thence W 49 rods; thence S 49 rods; thence East 49 rods.
- K. SE 1/4 NW 1/4 and N 16 acres of Lot 1 and that part of Lot 2 N of S.P. & S. Ry. in Sec. 22, Twp. 3 North, Range 10, E.W.M.

L. Lots 3 and 19, E 12 feet of Lot 18, Block 1, Town of Underwood. Less 3 feet off the east side of Lot 3. Less that part of Lot 3 lying southwesterly of a line drawn parallel with and 50 feet distant northeasterly when measured at right angles from center line survey of highway.

M. Lot 5 and 7 of Block 2, First Addition to Underwood.

N. That part of Government Lot One south of S.P. & S. Ry. in Sec. 29, Twp. 3 north, Range 10 E.W.M.

O. NE 1/4 NE 1/4 of Section 12, Twp. 3 North, Range 9 E.W.N.

ALSO stock certificates as follows:

Certificate No. 7, dated Jan. 12, 1956 representing 100 shares of Bank of Stevenson, Washington.

Certificate No. 27, dated 1-8-57, representing 50 shares, ditto.

Certificate No. 65, dated 2-2-60, representing 50 shares, ditto.

ALSO all of the items of personal property except the Oldsmobile automobile, as shown on Schedule A hereto annexed and hereby made a part hereof.

and any other property not now known or described belonging to this estate or in which this estate may have an interest is hereby distributed one-half to the surviving spouse, Erma M. Kapp as her sole and separate property, being her undivided one-half community interest therein, and the decedent's one-half undivided community interest therein is hereby distributed to the surviving spouse, Erma M. Kapp, in trust, however, to hold, manage, sell, invest and reinvest in her sole discretion and with the right to use any or all of the income from the trust as she may desire, with all of the trust estate remaining at her death to go to and become the property of the three said children of the decedent, to-wit: Shirley Ann Kapp Azure, David Henry Kapp and Jack Duane Kapp, share and share alike; provided that if any of said children do not survive decedent's wife, then the share which otherwise would have passed to such child to become the property of his or her descendants per stirpes.

6. Title to the United States Savings Bonds issued in the names of Mr. Henry Kapp or Mrs. Erma M. Kapp, to-wit:

Certificate No.

L32704751E, dated May, 1943, "Mr. Henry Kapp or Mrs. Erma M. Kapp"

L32704752E, dated May, 1943, (same names)

L36461700E, dated May, 1943, (same names)

D7703813E, dated February, 1944, (same names)

is hereby confirmed in Erma M. Kapp, also the joint checking account with right of survivorship in the amount of \$6181.36 at the Bank of Stevenson, Washington, including any accrued interest.

7. That upon the distribution of the property as herein provided and the filing of receipts therefor that the executrix be discharged and this estate closed.

Dated this 24th day of February, 1944.

Ross R. Pa Kow 12/
JUDGE OF SUPERIOR COURT.

Presented by: W. H. Hall

SCHEDULE A

1. 1 - 50 Caterpillar Tractor with Bulldozer
Serial No. 5A1359.
2. 1-D4 Diesel Cat blade drum Medford Canopy,
755914W.
3. 1 Holt Caterpillar Tractor parked down on bluff
where logging, 61484.
4. 1-AC Wheel tractor with mower 7', B60586
5. 1- AC plow, single
6. 1- P & O 2 bottom plow
7. 1- 4 Section spring tooth harrow
8. 1- Large John Deer Disc for D-6.
9. 1- pump can for tractor Alemite
10. 5- Log Blocks
11. 4 Sets of guys and loading line
12. Two sets of End Hooks
13. New Holland hay-baler, Motor 1252300, 369300349, Model 76
14. 1- Air Compressor
15. 1-Cooking Kettle
16. 1- Jackson Fordk - 6 tines
17. 1- Wheatland Disc - parked at Murlin Fink
18. 1- New AC water pump for AC tractor parked at Crawford's Shop.
(on tractor)
19. 1- Hone-lite power saw
20. 1938 Buick for junk, 43504047.
21. 1938 Chevrolet Truck. AA206158
22. 1939 GMC Logging Truck, DSP2311
23. 1955 Oldsmobile, 558C19537
24. 1952 Chevrolet Pickup H530001435
25. 1955 Nash Rambler D215473.
26. Dump Truck, Chevrolet, 3682157 (1935)

Schedule A - continued.

27. Meat Grinder and 1 long 1/2" rope - Amel Burris

28. Tools and other equipment at Underwood Shop

BANK ACCOUNTS:

1. Savings Account #9189, National Bank of Commerce of Seattle, White Salmon Branch, in name of "Erma M. Kapp." 14,229.09
2. Savings account, Bank of Stevenson, Washington, in name of "Henry Kapp" 602.72
3. Savings account No. 9773, First National Bank of Portland, 6th & Morrison Branch, in name of "Henry Kapp" 15.79
4. Joint checking account, White Salmon Branch, National Bank of Commerce of Seattle. 111.25

STATE OF WASHINGTON

County of Klickitat

ss.

I, WILMA SPALDING, County Clerk and Ex-officio Clerk of the Superior Court of the State of Washington, for County of Klickitat, do hereby certify that the annexed is a true copy of the original

ORDER APPROVING FINAL REPORT AND DECREETING DISTRIBUTION, No. P-

3727, Henry Kapp Estate, Deceased

as the same appears on file in my office at Goldendale in said county and state.
of record

Witness my hand and the Seal of the said
Superior Court affixed this 24th day of
February, 1965

WILMA SPALDING

By Louise Wilson, Deputy.

County Clerk and Ex-officio Clerk of the
Superior Court.

500-3-64