

1 IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT
2 OF THE STATE OF MONTANA, IN AND FOR THE COUNTY OF PONDERA

3
4 IN THE MATTER OF THE ESTATE OF) PROBATE NO. DP 85-28
5 PAUL D. GOLLEHON,)
6 Deceased.)

7
8 DECREE OF DISTRIBUTION, ORDER DETERMINING TESTACY,
9 ORDER DETERMINING HEIRS, AND ORDER APPROVING FINAL
ACCOUNT OF A TESTATE ESTATE

10 The final account, petition for determination of testacy,
11 for determination of heirs, and for settlement and distribution
12 of a testate estate by the personal representative of the above-
13 captioned estate having been presented and filed herein, and
14 said matter coming on regularly to be heard this date last below
15 written, the Court proceeded to the hearing of said petition and
16 account; and it appearing to the satisfaction of the Court that
17 due and legal notice of said final account, petition for deter-
18 mination of testacy, for determination of heirs, and for settle-
19 ment and distribution was given in the manner and form required
20 by law, the Court makes the following:

21 FINDINGS OF FACT

22 I.

23 That the final account and report is in all respects true
24 and correct.

25 II.

26 That due and legal notice to heirs and to creditors in said
27 estate has been given in the manner and time required by law.
28 Four months having expired since the first publication of such
29 notice, the time for filing claims has expired.

30 III.

31 That all the debts of the decedent and of the estate,
32 and all costs of administration thus far incurred, and all the
33 taxes that have attached to or accrued against the estate have
34 been paid. Fees as prayed for do not exceed the amount by law.
35 Said estate is in the condition to be closed.

36 IV.

37 The decedent's will was admitted to probate in informal
38 proceedings in which the testacy status of the decedent was not
39 finally determined. The will previously admitted to probate in
40 informal proceedings is the last will of the decedent; it is
41 hereby determined that decedent died testate.

42
FILED FOR RECORD
SKAMANIA CO. WASH 1
BY SKAMANIA CO. TITLE

APR 27 11 53 AM '87
A.S. No. Dep.
AUDITOR
GARY H. OLSON

MCCURDY, WOLD, PETERSON & FISCHER
ATTORNEYS AND COUNSELORS AT LAW
P.O. BOX 1172
PROFESSIONAL CENTER BUILDING POLSON, MONTANA 59660
406 863 4363

Received \$
LAWYER'S FEE
JURY FEE
S.

V.

That the inheritance tax due the State of Montana, if any, has been paid.

VI.

That the name, addresses, relationship and age of each devise, so far as is known or ascertainable with reasonable diligence by the personal representative, is set forth below, as is the manner in which the assets of the estate should be distributed after payment of debts, claims, taxes, costs and expenses, all of which is in accordance with decedent's will and applicable law, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof as though set forth fully at this place.

DECREE

Based on the foregoing findings of fact, and good cause appearing therefore, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. That the final account of the personal representative of the above-captioned estate, be, and the same is hereby settled, allowed and approved.

2. That the testacy of the Decedent in relation to said will and the determination of heirs of the decedent are as hereinabove stated.

3. That the attorney's fee and personal representative's fee are hereby approved as prayed for and payment is authorized prior to final distribution.

4. That the personal representative be authorized to distribute the assets of the estate, and any other property of the decedent or of the estate not now known or discovered, to the persons entitled according to law, as set forth above, and this Decree and Order does so distribute the assets of the estate in the manner and to the persons or parties entitled thereto according to law as set forth above, and upon the filing of the proper receipts, showing said deliveries, the said personal representative herein shall be discharged from his trust.

DATED this 20th day of April, 1987.

/s/ **R. D. McPHILLIPS**
JUDGE OF THE DISTRICT COURT

1. Devisee of this estate is the Paul D. Gollehon Testamentary Trust; trustee of said trust is William C. Gollehon.

Paul D. Gollehon Trust "A" and Trust "B" were established by order of this Court dated February 3, 1987. William C. Gollehon was appointed Trustee by said order filed herein.

Beneficiary of the Paul D. Gollehon Testamentary Trust is the surviving spouse of the decedent, Margaret E. Gollehon, during her life. Upon the death of Margaret E. Gollehon, the residue of trust shall be distributed to decedent's four children, in equal shares:

Marjorie P. Gulliford, adult daughter
719 Detroit Avenue
Vancouver, Washington 98664

Richard A. Gollehon, adult son
623 8th Avenue SW
Conrad, Montana 59425

Susan Galyan, adult daughter
1216 8th Avenue South
Big Sky Trailer Court, #3
Great Falls, Montana 59405

William C. Gollehon, adult son
Route 3, Box 476
Conrad, Montana 59425

Specific bequests were made to William C. Gollehon and Richard A. Gollehon, adult sons of the decedent, and to Margaret Gollehon, spouse.

2. Assets of this estate are:

A) Real Property:

Lot 132, Mellet Point No. 2, a platted subdivision of Lake County, Montana, according to the official recorded plat thereof. Includes 1972 Champion mobile home, 12 x 60.

Lot 131, Mellet Point No. 2, a platted subdivision of Lake County, Montana, according to the official recorded plat thereof.

Appraised value of both lots is \$50,000.

Real Property in Washington State:

Lot 21 of Block One of River Glen on the Washougal according to official plat thereof on file, records of Skamania County, Washington. Appraised value \$5500.

Estate of Paul D. Gollehon
Exhibit "A" continued
Page two

Real Property in Pondera County, Montana:

A tract of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14,
Township 28 North, Range 3 West, MPM, Pondera County,
Montana, more particularly described as follows:

Beginning at the quarter section corner common to
Sections 13 and 14, T.28 N., R.3 W., M.P.M., go
N.89°58'00" W., 749.80 feet, thence S.0°10'00" E.,
404.70 feet to the true point of beginning for Lot
No. 1, thence S.89°58'00" E., 213.30 feet, thence
S.0°10'00" E., 143.48 feet, thence N.89°58'00" W.,
213.30 feet, thence N.0°10'00" W., 143.48 feet to
the true point of beginning, containing 0.70 acre.
The true point of beginning for Lot No. 2 begins
at the Northeast corner of Lot No. 1, thence
S.89°58'00" E., 253.30 feet, thence S.37°37'20" W.,
181.00 feet, thence N.89°58'00" W., 142.35 feet, thence
N.0°10'00" W., 143.48 feet to the true point of
beginning, containing 1.07 acres. The true point of
beginning of Lot 1A begins at the Southwest corner
of Lot No.1, thence S.89°58'00" W., 355.65 feet,
thence S.37°37'20" W., 19.00 feet, thence N.89°
58'00" W., 344.02 feet, thence N.0°10'00" W.,
15.00 feet to the true point of beginning, containing
0.18 acre.

Appraised value of above-described parcel is \$10,000.

B) Personal Property:

Bond: Certificate number B-40845, National Securities
Fund, representing 27,856 shares. Value April 17, 1987: \$94,939.

Promissory note given by William Gollehon, held in escrow
at Farmers State Bank, Conrad, Montana. Payable to the
estate of Paul D. Gollehon in the amount of Twenty-five
Thousand Dollars (\$25,000). Date of note is December 31, 1985.
Interest at 12% per annum; monthly payments of \$300.04 to begin
December 1985, interest to accrue from September 1, 1985.
Unsecured.

Balance 4-17-87: \$ 24,602.

Promissory note given by Norman Rosenberger, secured by
assignment of Rosenberger/Eastin escrow number 19-1176,
held at First Security Bank of Idaho, Sandpoint, Idaho.
Note is payable to Paul Gollehon; face amount Nine
Thousand Four Hundred Dollars
(\$9,400.00) date of note is December 22, 1980. Interest
is 8 3/4 % per annum on the unpaid balance; monthly
payments are Seventy-five Dollars (\$75), deposited into
checking account for Paul D. Gollehon at First Citizens Bank,
Polson, Montana. Balance date of death \$6,025.71.

Balance 3-4-87: \$ 5,400.

1963 Ford pickup, F-100 4x4.

Appraised value: 250.

1991 MG II automobile.

Appraised value: 1,000.

Estate of Paul D. Collehon
Exhibit "A" continued
Page three

Chose in Action: David and Alice Asumendi promissory note.
Value unknown at date of distribution.

Cash in the amount of Ten Thousand Four Hundred Seventy-five
and 59/100 Dollars (\$10,475.59).

Guns, rifles, tools, antiques including hot air engine.

3. Method of Distribution:

- A) To William C. Collehon, Trustee of Paul D. Collehon Testamentary
Trust "A":

Bond certificate number B-40845, National Securities Fund,
representing 27,856 shares. Value of each share as of
4-17-87: \$3.41. Total value of bond as of 4-17-87: \$ 94,989.

Cash in the amount of Six Thousand One Hundred Nineteen
Dollars (\$6,119): 6,119.

Value of assets distributed to Trust "A": \$ 101,108

- B) To William C. Collehon, Trustee of Paul D. Collehon Testamentary
Trust "B":

Real property:

Lot 132, Mellet Point No. 2, a platted subdivision of
Lake County, Montana, according to the official recorded
plat thereof. Includes a 1972 Champion mobile home,
12 x 60.

Lot 131, Mellet Point No. 2, a platted subdivision of
Lake County, Montana, according to the official recorded
plat thereof.

Value of Lots 132 and 131: \$ 50,000

Real property:

A tract of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14,
Township 28 North, Range 3 West, MPM, Pondera County, Montana,
more particularly described as follows:

Beginning at the quarter section corner common to Sections 13 and 14, T.28 N., R.3 W., M.P.M., go N.89°58'00" W., 749.80 feet, thence S.0°10'00" E., 404.70 feet to the true point of beginning for Lot No. 1, thence S.89°58'00" E., 213.30 feet, thence S.0°10'00" E., 143.48 feet, thence N.89°58'00" W., 213.30 feet, thence N.0°10'00" W., 143.48 feet to the true point of beginning, containing 0.70 acre. The true point of beginning for Lot No. 2 begins at the Northeast corner of Lot No. 1, thence S.89°58'00" E., 253.30 feet, thence S.37°37'20" W., 181.00 feet, thence N.89°58'00" W., 142.35 feet, thence N.0°10'00" W., 143.48 feet to the true point of beginning, containing 1.07 acres. The true point of beginning of Lot 1A begins at the Southwest corner of Lot No.1, thence S.89°58'00" W., 355.65 feet, thence S.37°37'20" W., 19.00 feet, thence N.89°58'00" W., 344.02 feet, thence N.0°10'00" W., 15.00 feet to the true point of beginning, containing 0.18 acre.

Value of above-described
real property per appraisal: \$ 10,000

Personal property:

Promissory note given by William C. Gollehon in the amount of Twenty-five Thousand Dollars (\$25,000) more fully described in Section "B" of page two of this exhibit. Balance of note as of 4-17-87: 24,602

Promissory note given by Norman Rosenberger, face amount Nine Thousand Four Hundred Dollars (\$9,400) more fully described in Section "B" of page two of this exhibit. Balance of note as of 3-4-87: 5,400

1963 Ford pickup, F-100 4x4. Value per appraisal: 250

1981 MG II automobile. Value per appraisal: 1,000

Chose in Action: David and Alice Asumendi promissory note. Value unknown. --

Cash in the amount of Four Thousand Three Hundred Fifty-six Dollars (\$4,356); 4,356

Real property in Washington State:

Lot 21 of Block One of River Glen on the Washougal according to the official plat thereof on file and of record at page 132 of Book A of Plats, records of Skamania County, Washington. Appraised value: 5,500

Value of assets distributed to Trust "B": \$ 101,108

C) Specific Bequests:

To William C. Gollehon and Richard A. Gollehon, in equal shares: Guns, rifles, tools, antiques including the hot air engine.

To Margaret Gollehon, spouse: Decedent's personal and household effects and the like, such as jewelry, clothing, automobile, furniture and furnishings.

Unofficial Copy

State of Montana

County of Pondera)

I hereby certify that the instrument to which this certificate is annexed, is a true, complete and correct copy of the original on file in my office.

Witness my hand and seal of said Court this 21st day of

October 1987

Greta White

Clk of Said District Court

