

FILED  
SKAMANIA CO. WASH  
SKAMANIA CO. TITLE

AFFIDAVIT

FEB 10 11 59 AM '94

*P. Lowry*  
AUDITOR

GARY H. OLSON

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STATE OF OREGON )  
County of Hood River) ss

118718

I, Teunis Wyers, being first duly sworn, depose and say:

1) I am the attorney for Frances M. Brown, and have been for many years. I was personally acquainted with Robert J. Brown, deceased, and am personally acquainted with his son, Ross A. Brown, who served as his Personal Representative.

2) Robert J. Brown died testate on September 20, 1992. A copy of his Last Will and Testament dated November 13, 1989, and a copy of the Codicil to Last Will and Testament dated April 1, 1991, are attached hereto. His estate was probated in Hood River County, Oregon, Hood River County Circuit Court Case 920015P.

2) The sole surviving heirs at law of said deceased, and their relationship to said decedent are as follows:

Name	Relationship
Frances M. Brown	Surviving spouse
John R. Brown	Son by a previous marriage
Carl F. Brown	Son by a previous marriage
Ross A. Brown	Son by a previous marriage
Chris E. Brown	Son by a previous marriage

Registered	
Indexed, Dir	<i>f</i>
Indirect	<i>f</i>
Filed	
Mailed	

3) Robert and Frances Brown entered in a Marital Property Agreement on July 12, 1989, and Modification thereto on April 1, 1991, proving in part that their real property was to be held between the them as tenants by the entireties. These agreements were drafted in my law office, and were intended to control the ownership of the real property in Skamania County, Washington, described in paragraph 5) below. Both parties were to provide by will that upon the demise of the survivor, the real property would be sold, and the net proceeds divided in half, with one half to be divided among the children of Frances M. Brown, and the other half to be divided among the children of Robert J. Brown. The marital property agreement addendum also provided that the survivor could sell the real property, so long as the proceeds were divided as set forth above.

Mr. Brown's will provided that his children were to receive one half of any joint assets acquired after July 12, 1989, which would include the real property commonly known as 706 Fort Rains, North Bonneville, Washington.

4) After Robert Brown's death, his surviving spouse and his

REAL ESTATE EXCISE TAX

016414

FEB 10 1994

PAID *Exempt*

*W*  
SKAMANIA COUNTY TREASURER

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children agreed that Mrs. Brown could purchase the children's half of the real property for a sum certain, in exchange for a quitclaim deed. The payment was made, and the deed was drawn, signed, delivered, and recorded. This was an arms-length transaction between the undersigned and Larry S. Bowe, attorney for the estate of Robert J. Brown.

5) Frances M. Brown has purchased, and is entitled to all of the decedent's interest in the real property described as:

02-C7-10-4-3-0600-0

Lot 6, Block 7, PLAT OF RELOCATED NORTH BONNEVILLE, according to the recorded Plat thereof, recorded in Book "B" of Plats, page 29, in the County of Skamania, State of Washington.

6) (a) A copy of Robert Brown's Death Certificate was recorded in the Skamania County Miscellaneous Records on December 18, 1992, in Volume 132, page 599, Auditor's File No. 115171.

(b) A copy of the Quitclaim Deed from Mr. Brown's sons to Frances M. Brown was recorded in the Skamania County Deed Records on December 18, 1992, in Volume 132, page 600-601, Auditor's File No. 115172.

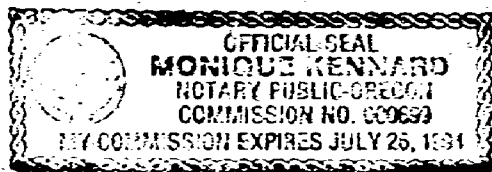
(c) A copy of the Decree of Distribution was recorded in the Skamania County Deed Records on May 11, 1993, in Volume 135, page 232-233, Auditor's File No. 116203.

DATED this 3 day of February, 1994.

Teunis Wyers  
TEUNIS WYERS

SUBSCRIBED AND SWORN to before me this 3rd day of February, 1994.

Monique Kennard  
NOTARY PUBLIC FOR OREGON  
My commission expires: 7-26-94



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CODICIL TO LAST WILL AND TESTAMENT OF  
ROBERT J. BROWN

KNOW ALL MEN BY THESE PRESENTS that whereas I, ROBERT J. BROWN, of North Bonneville, Washington, did on the 13<sup>th</sup> day of November, 1989, make, execute, publish, and declare my Last Will and Testament in writing bearing date the day and year above mentioned.

WHEREAS, I now desire to make certain changes therein and modifications thereof and additions thereto:

NOW, THEREFORE, I, ROBERT J. BROWN being of sound mind and memory, do make, publish, and declare this my Codicil to my Last Will and Testament in the following manner:

1) As provided for in Paragraph V of said Last Will, the Personal Representative to be Larry Bowe is changed; I appoint my son Ross Allen Brown as Personal Representative and I appoint my son Chris Evan Brown as alternate Personal Representative.

2) If my wife does not survive me, I direct that the real property at 706 Fort Rains, North Bonneville, Washington, be sold and the net proceeds divided in half; one half is to be divided in equal shares with right of representation between my children, and the other half divided in equal shares with right of representation between my wife's children.

I do hereby ratify and confirm all the provisions of my Last Will and Testament except as changed and modified by this, my Codicil thereto.

IN WITNESS WHEREOF, I have signed this, a Codicil to my Last Will and Testament, this 1<sup>st</sup> day of April, 1991.

Robert J. Brown  
ROBERT J. BROWN

RECORDER'S NOTE:  
NOT AN ORIGINAL DOCUMENT

ATTESTATION CLAUSE

This instrument consisting of two (2) pages, including this

LAW OFFICES OF  
TEUNIS WYERS  
HOOD RIVER, OREGON 97031  
PHONE (503) 306-2221

1 - CODICIL TO LAST WILL AND TESTAMENT OF  
ROBERT J. BROWN

R.J.B.  
R.J.B.  
to Ross  
Brown

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page, was on the above date signed by ROBERT J. BROWN, who declared it to be a Codicil to his Last Will and Testament dated \_\_\_\_\_, 19\_\_\_\_; and we, at his request and in the presence of each other, have signed our names as attesting witnesses. At the time this Codicil was signed, we believe that the Testator was of sound mind and memory and was acting voluntarily.

Janet Price residing at Hood River, Oregon

Monique Kunnard residing at Hood River, Oregon

AFFIDAVIT OF ATTESTING WITNESSES

STATE OF OREGON           )  
  ) ss  
County of Hood (River)

We the undersigned, being first duly sworn, each say:

On the date of the foregoing Codicil to the Will of ROBERT J. BROWN consisting of two pages (2) including this page, he in our presence signed the Codicil and declared it to be his Codicil, whereupon at his request and in his presence, and in the presence of each other, we attested the Codicil by signing our names hereto.

To the best of our knowledge and belief, the Testator was, at the time, of legal age and of sound mind.

Janet Price

Monique Kunnard

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of February, 1991. April

Lessa Bullock

NOTARY PUBLIC FOR OREGON

My commission expires: 2/6/91

LAW OFFICES OF  
TEUNIS WYERS  
HOOD RIVER, OREGON 97031  
PHONE (503) 386-2221

2 - CODICIL TO LAST WILL AND TESTAMENT OF  
ROBERT J. BROWN

R.J.B.

792-89

## Last Will and Testament

OF

ROBERT J. BROWN

I, ROBERT J. BROWN, having been born on the 18th day of December, 1922, in Moccasin, Montana, having Social Security No. 517-22-2377, and now a resident of Hood River County, Oregon, publish and declare this to be my Last Will and Testament and revoke all prior wills and codicils:

I.

I direct that my legal debts and funeral expenses be promptly paid. I request that my remains be cremated. I direct my personal representative to treat as an obligation of my estate and to pay without any apportionment thereof other than that hereinafter specified, all estate, inheritance or other death taxes or duties imposed and made payable by reason of my death by the laws of the United States of America, or of any state, territory or country. If any other person shall pay any such tax, my personal representative shall reimburse such person.

II.

I state that my wife is FRANCES M. BROWN and my children are:

JOHN ROBERT BROWN, born March 28, 1948;  
CARL PHILLIP BROWN, born September 28, 1951;  
ROSS ALLEN BROWN, born November 22, 1953;  
CHRIS EVAN BROWN, born July 28, 1955.

I state that I am the stepfather of FRANK J. WOMBLES, born November 10, 1944; LAWRENCE G. WOMBLES, born April 22, 1950; WALTER W. WOMBLES, born September 21, 1956; and CYNTHIA L. WOMBLES, born October 31, 1962.

III.

I have entered into a Marital Property Agreement dated July 12, 1989, with my wife. I intend to follow the provisions

Page 1. Signer or identification: \_\_\_\_\_

RECORDER'S NOTE:  
NOT AN ORIGINAL DOCUMENT



of that agreement and make no further provision for her in this will.

IV.

I give, devise and bequeath to my children, JOHN ROBERT BROWN, CARL PHILLIP BROWN, ROSS ALLEN BROWN and CHRIS EVAN BROWN, all items listed in Schedule A of the Marital Property Agreement dated July 12, 1989, and any property separately acquired after the date of that agreement, share and share alike, and by right of representation to their issue if they should predecease me.

I further give, devise and bequeath to said children one-half of the property listed on Schedule C and one-half of any property jointly acquired by me and my wife after July 12, 1989. The division of said items shall take place as set forth in the Marital Property Agreement.

I give, devise and bequeath the residue of my estate to my children, JOHN ROBERT BROWN, CARL PHILLIP BROWN, ROSS ALLEN BROWN and CHRIS EVAN BROWN, share and share alike, and by right of representation to their issue if they should predecease me.

V.

I appoint LARRY S. BOWE as personal representative of this, my will, and if for any reason he is unable to serve, then I appoint my son, ROSS ALLEN BROWN, and request that no bond be required of such personal representative or substitute.

I give and grant unto my personal representative, or substitute, the full power and authority to lease, encumber, sell, exchange or otherwise deal with or dispose of any or all my property, real or personal, at public or private sale, without any order of court and without publishing or posting notice thereof. Any such sale may be for cash or credit or part cash and part credit, without regard to the requirement as to the amount of down payment required and upon such other terms as may be agreed upon by my personal representative, or her substitute. I further authorize my personal representative to hold, manage, and operate

Page 2. Signed for identification: \_\_\_\_\_

any property and any business belonging to my estate at the risk of my estate and not at the risk of my personal representative, or substitute, the profits and losses therefrom to inure or be chargeable to my estate as a whole.

THIS WILL is signed by me at Hood River, Oregon, this 13<sup>th</sup> day of November, 1989, in the presence of the attesting witnesses whom I have requested to sign as such.

13 Robert J. Brown  
Testator

THIS IS TO CERTIFY that the foregoing instrument consisting of this and two (2) other pages, was, on the date thereof, by the Testator ROBERT J. BROWN, signed, published and declared by him to be his Last Will and Testament in the presence of us and each of us, who, in his presence and at his request and in the presence of each other have hereunto subscribed our names as witnesses thereto:

Residing at \_\_\_\_\_

Residing at \_\_\_\_\_