

FILED FOR RECORD
SKAMANIA CO. WASH
BY Perkins Cole

Filed for Record at Request of:

Perkins Cole
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Bellevue, Washington 98004-5584
Attn: Susan Lybeck

JUL 15 4 53 PM '94
J. Olsson
AUDITOR
GARY H. OLSON

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**PERSONAL REPRESENTATIVE'S ASSIGNMENT OF INTEREST
IN TRUST AND PROMISSORY NOTE AND DEED OF TRUST**

1. **Assignor.** The undersigned, Lois Elizabeth Kari, acting in a representative capacity as the duly appointed, qualified and acting personal representative of the Estate of Eugene John Kari, Deceased, is the Assignor ("Assignor").

2. **Estate.** Eugene John Kari died on July 19, 1993. On September 8, 1993, the Will of Eugene John Kari dated July 17, 1987 (the "Will") was admitted to probate and Lois Elizabeth Kari was appointed personal representative on September 8, 1993, in the State of Washington Superior Court of Klickitat County in Cause No. 93-4-00043-2 (the "Probate Proceedings").

3. **Nonintervention Powers.** By Order of Solvency entered on September 8, 1993, in the Probate Proceedings, Assignor was authorized to settle the Estate without further court intervention or supervision.

4. **Trust Agreement of Eugene J. Kari and Lois E. Kari.** Included among the property of the Estate of Eugene John Kari, Deceased, was the decedent's community one-half interest in that certain Trust Agreement of Eugene J. Kari and Lois E. Kari dated March 1, 1977, between Eugene J. Kari and Lois E. Kari as Trustors and Rainier National Bank, Seattle, Washington, and its successors, as Trustee (the "Trust").

5. **Note; Deed of Trust.** Also included among the property of the Estate of Eugene John Kari, Deceased, was the decedent's community one-half interest as holder of the promissory note dated April 28, 1992, executed by Charles Ferries and Nancy E. Ferries payable to Eugene J. Kari and Lois E. Kari in the original principal amount of \$100,000 with interest of 9% thereon (the "Note"). The unpaid principal balance on the Note on July 19, 1993 was \$92,661.10. The Note is secured by Deed of Trust dated April 28, 1992, executed by Charles Ferries and Nancy E. Ferries as Grantors, to Ticor

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Title Insurance Company of California, a corporation, Trustee, and recorded on May 4, 1992, under File No. 113441, Records of Skamania County, Washington (the "Deed of Trust"), for the following-described real property located in Skamania County, Washington:

The North 40 rods of Government Lot 5, Section 30, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania and State of Washington.

6. Will Provision. The Will of Eugene John Kari provides in Article 3.5 that the residue of the estate is given to Lois Elizabeth Kari but that if Lois Elizabeth Kari disclaims the right to receive any of the property such disclaimed portion is given to the Trustee named in the Will of Eugene John Kari to be administered as a part of the Lois Elizabeth Kari Trust, Article 4.

7. Non Pro Rata Allocation. Pursuant to the powers vested in Assignor, as personal representative of the decedent's estate, by RCW 11.02.070, 11.68.090, and 11.98.070(15), on April 14, 1994, Assignor made a non pro rata allocation of the community property contained in the Estate of Eugene John Kari, deceased. An undivided 30% interest of the decedent's and his surviving spouse's interest in the Trust was allocated to the Estate of Eugene John Kari and an undivided 70% interest was allocated to Lois Elizabeth Kari, the surviving spouse of Eugene John Kari. All of the decedent's and his surviving spouse's interest in the Note and Deed of Trust was allocated to the Estate of Eugene John Kari.

8. Disclaimer. By instrument dated April 14, 1994, entitled Disclaimer of Surviving Spouse, Lois Elizabeth Kari disclaimed all interest of the decedent in the Note and Deed of Trust. In addition, Lois Elizabeth Kari disclaimed a fractional undivided interest in the Trust in an amount sufficient to cause the value of the total disclaimed property to be equal to the value of decedent's community one-half interest in the probate estate, which fractional interest is equal to the undivided 30% interest in the Trust allocated to the Estate of Eugene John Kari. However, Lois Elizabeth Kari did not disclaim any interest in the Trust and in the Note and Deed of Trust that she may have as a beneficiary of the Lois Elizabeth Kari Trust under Article 4 of the decedent's Will.

9. Conveyance of Estate's Interest in Trust and in Note and Deed of Trust. Assignor hereby grants, bargains, sells and assigns to Lois Elizabeth Kari as Trustee of the Lois Elizabeth Kari Trust under Article 4 of the decedent's Will the estate's interest in the Trust and in the Deed of

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Trust together with the Note thereby secured and the principal and interest due or to become due thereon, without recourse, and all rights accrued or to accrue under said Deed of Trust.

Dated June 18th, 1994.

Lois Elizabeth Kari
Lois Elizabeth Kari, as Personal Representative of the Estate of Eugene John Kari, Deceased, and not in her individual capacity

STATE OF WASHINGTON)
COUNTY OF KICKITAT) ss.

On this 18th day of June, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared LOIS ELIZABETH KARI, to me known to be the person who signed as Personal Representative of the Estate of Eugene John Kari, Deceased, and who executed the within and foregoing instrument and acknowledged said instrument to be her free and voluntary act and deed for the uses and purposes therein mentioned; and on oath stated that she was authorized to execute the said instrument as Personal Representative of said Estate.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Nadine Carr
Notary Public in and for the State of Washington, residing at White Salmon

NADINE CARR [Print Name]
My commission expires: 3/25/96

