137384

BOOK 196 PAGE 624

FILE Theodore Marks

FEB 10 3 10 111 100

OXOWNY

GARY II. CLEON

AFTER RECORDING MAIL TO:

Name Tol Mark 5

Address /6644 N.P. On 90 N

City/State Portland, On 97230

DECLARATION OF HEIRSHIP, INHERITANCE, DOMICILE AND INDEMNITY AGREEMENT STATE OF WASHINGTON Occasion Country of Multipopole

| A. H. A. Theodore M. Macks, Tr., residing at 16644 N.B. Oragan St. |
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| , first being duly sworn, depose and say that: |
| died testate in fertland, |
| MulTheman County (1248) On Anni (n 1999 |
| 2. At the time of his/her death, Kathesine & Masks was a |
| widow/widower. Wie/Her spouse, The fluce M. Marks , died in |
| Pratical Multivanish County, Degen, on 10/04, 1975. |
| 3. The sole surviving heirs at lew and beneficiaries of the Last Will and Testament of |
| Theologe M. Marks, The |
| The deceased, Kathern E. Macks left no children or children |
| of children who predeceased him/her other than those named herein. |
| 4. The expenses of the last illness and burial of Karing 2. |
| and all other claims against decedent's estate |
| have been settled and paid. |
| 5. There are no Federal Estate taxes due or Washington inheritance |
| taxes due. |
| 6. The purpose of this affidavit is to induce Skamania County Title |
| Company to accept such affidavit in forebearance of a demand made by |
| said title insurance company to probate the decedent's estate. |
| 7. At the time of decedent's death, decedent owned property in |
| Wind River How. and described as located at 5 mile post, |
| |
| 8. I. by my signature pareto deres to indomnify and bell by |
| SKAMANIA COUNTY TITLE from any and all liability, obligations, expenses, |
| legal fees or litigation costs which it may incur as a result of a |
| falsity or inaccuracy of any statement contained in this affidavit. |
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| By: All 1 m m 1/1 |
| Theodore in Marke 1. |
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| - Committee of the comm |
| ALL SIGNATURES MUST BE NOTORIZED |

| STATE OF WASHINGTON, County of | ACKNOWLEDGMENT - Indivi |
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| On this day personally appeared before me | Theologo M. Manks, Va. |
| to be the individual(s) described in and who executed signed the same as free as | to me kn the within and foregoing instrument, and acknowledged that he und voluntary act and deed, for the uses and purposes therein mentioned. |
| GIVEN under my hand and official seal this | 144 day of December 195 |
| OFFICIAL BEAL MICHAEL J KAVAMAUGH NOTARY PUBLIC-OREGON COMMISSION DUNIES OCT 21, 2000 | Notary Publish and for the State of Markington October 1816 D. No appointment expires 10/2/20 |
| FATE OF WAGUING | |
| PATE OF WASHINGTON, punty of | ACKNOWLEDGMENT - Corporat |
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A tract of land in the Southeast Quarter of Section 1, Township 3 North, Range 7 1/2 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Beginning at the Southeast corner of said Section 1; thence North along the East line of said Section 1 a distance of 1,726.81 More or Less to the Southwesterly line of Wind River Highway (being 150 feet wide); thence Northwesterly along the Southwesterly line of said Highway 450 feet to the most Northwest Corner of a tract of land Conveyed to David L. Allen et ux by instrument recorded in Book 165, Page 238, which is the True Point of Beginning; thence South Parallel with the East line of said Section 1 to a point which is 168.66 feet North of the North line of the Southeast Quarter of the Southeast Quarter of said Section 1; thence West on a line parallel with and 168,66 feet North of the North line of said Southeast Quarter of the Southeast Quarter to the Southeast Corner of a Tract of land Conveyed to Tracy A. Hamblet et al by instrument recorded in Book 180, Page 388; thence North along said East line 168.66 feet to the Northeast Corner of the said Hamblet Tract; thence West along said North line to the Northwest Corner of said Hamblet Tract, which is also the West line of the Northeast Quarter of the Southeast Quarter of said Section 1; thence North along the West Line of the Northeast Quarter of said Section 1 to the Southeast Corner of a Tract of land Conveyed to Douglas Schulze et ux by instrument recorded in Book 125, Page 254; thence North along said East line 293 feet more or less to the Northeast Corner of said Schulze Tract; thence West along said North line to the most Southeast Corner of Lot 1 of the Katherine Marks Short Plat recorded in Book 2 of Short Plats, Page 180; thence North 0° 05° 53° East along the most Easterly South line of said Lot 1, a distance of 440.14 feet more or less to the Southwesterly line of the Wind River Highway; thence Southwesterly along the Southwesterly line of said Wind River Highway; thence Southwesterly along the Southwesterly line of said Wind River Highway to the True point of beginning.

Gary H. Martin, Skamania County Assessor

Date 2-10-2004. Parcel #0-3 95-01 00 1900 00

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LAST WILL AND TESTAMENT

OF

KATHERINE E. MARKS

I, Katherine E. Marks, of Portland, Oregon being of lawful age, of sound and disposing mind and memory, and acting free of menace, duress, fraud or undue influence, do make, publish and declare this to be my Last Will and Testament, hereby revoking and annulling any and all wills and codicils heretofore made by me.

1

I direct the prompt payment of my just debts, the expenses of my last illness and funeral, and the administration
expenses of my estate. All estate and inheritance taxes and
death duties accruing by reason of my death, including that on
property not subject to probate, shall be borne by my estate.

ΙI

For the purposes of this Will, any person or persons who die within sixty (60) days from the date of my decease shall be deemed to have predeceased me.

III

I hereby give, devise and bequeath to the following named individuals and churches the cash amount set opposite the name of each (subject to certain conditions hereinafter contained):

| Rivercrest Community Congregational Church First United Methodist Church | \$1,000.00 |
|---|------------|
| Mamie Sherman | 1,000.00 |
| Paul Quarino | 500.00 |
| Bill Steinmetz, my nephew | 1,000.00 |
| Thomas E. Williams, my greatgrandnephew | 1,000.00 |
| Edward R. Steinmetz, my brother | 1,000.00 |
| Edward Steinmetz, my nephew | 1,000.00 |
| George Steinmetz, my nephew | 1,000.00 |
| my nephew | 1.000.00 |

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| Robert L. Steinmetz, my brother David L. Fuller, my nephew Brian Fuller, my grandnephew Angela Fuller, my grandniece Ted Marks, my grandnephew and my husband's | 1,000.00 1,000.00 1,000.00 1,000.00 |
|---|--|
| namesake Mrs. David (Sandra) Bartels | 1,000.00 |

Said bequests to be made and honored so long as the gross value of the estate is in excess of \$50,000.00.

ΙV

I give, devise and bequeath all of the rest, residue and remainder of my estate to the Trustees under the provisions of Katherine E. Marks Revocable Trust, made as of 1991, for the uses and purposes as therein set forth.

V

I hereby appoint Theodore M. Marks, Jr., my son, Personal Representative of this my Will. If he fails to qualify or ceases to act hereunder, I appoint Mrs. David (Sandra) Bartels, in the alternative. I further direct that neither of the persons named herein shall be required to file bond or enter other security in any jurisdiction for faithful performance of their duties.

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I hereby empower and authorize my Personal Representative to hold and retain as investments of my estate pending distribution hereunder, all my property wheresoever situated, and to sell, transfer, convey, exchange, hypothecate or in any way dispose of for the purpose of payment of my just debts and expenses or making distribution, or for any other purpose whatever which he/she may deem prudent, any and all such prices and on such terms as he/she may deem proper and prudent, to make, execute and deliver any legal instruments that may be necessary or convenient

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for passing title or ownership thereto, freed and discharged of all trust, without liability of the purchaser to see to the application of the purchase money. My Personal Representative named herein is hereby empowered to make distribution to by beneficiary, beneficiaries, or trustees, prior to the closing of my estate.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Portland, Or. this 28 day of Troughy, 1992.

Katherine E. Marks

The foregoing instrument, consisting of four pages, including this page, was on this 25 day of 1992 in our presence, signed, published and declared by Katherine E. Marks, to be her Will, who appeared to us of sound and disposing mind and memory, not acting under fraud, duress or undue influence, as and for her Last Will and Testament, in our presence, in the presence of each of us, and we, at the same time, at his request and in the presence of each other, hereunto subscribed our names as attesting witnesses thereto.

Portland, OR 97215

STATE OF OREGON)
County of Multnomah)

We, the undersigned, being sworn, each for himself says: On the date of the foregoing Will of Katherine E. Marks and in my presence, said Katherine E. Marks signed the same and declared it to be her Will; that the above paragraph is true and reaffirmed; whereupon at her request and in her presence, we attested the Will by signing our names hereto.

SUBSCRIBED AND SWORN TO by each of the aff ants above named on the 28 day of Tanuary, 1998.

My commission expires:

Notary Public for Oregon 9/2492

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