

142503

BOOK 215 PAGE 366

FILED FOR RECORD  
SKAMANIA CO. WASH  
BY Clint Sherman

OCT 3 4 10 PM '01

Gary  
AUDITOR  
GARY M. OLSON

**AFTER RECORDING MAIL TO:**

Name CLINT SHERMAN  
Address P.O. Box 332  
City/State PORT TOWNSEND, WA 98368

Document Title(s): (or transactions contained therein)

1. AFFIDAVIT OF HEIRSHIP
2. WILL
3. REAL ESTATE EXCISE TAX AFFIDAVIT
- 4.

Reference Number(s) of Documents assigned or released:

☐ Additional numbers on page \_\_\_\_\_ of document

Grantor(s): (Last name first, then first name and initials)

1. SHERMAN, J. RUSSELL
- 2.
- 3.
- 4.

5. ☐ Additional names on page \_\_\_\_\_ of document

Grantee(s): (Last name first, then first name and initials)

1. SHERMAN, CLINTON R
- 2.
- 3.
- 4.

5. ☐ Additional names on page 2 of document

Abbreviated Legal Description as follows: (i.e. lot/block/plat or section/township/range/quarter/quarter)

Sec 10 T2N, R7E

☐ Complete legal description is on page 574 of document

Assessor's Property Tax Parcel / Account Number(s): 02-07-10-0-0-0101  
\$ Pr 100

WA-1

10-3-01

NOTE: The auditor/recorder will rely on the information on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.



First American Title  
Insurance Company

(this space for title company use only)

REAL ESTATE EXCISE TAX

21807

OCT - 3 2001

PAID

Wump  
G. deputy

SKAMANIA COUNTY TREASURER

Prepared	
Reviewed	
Indexed	
Filed	

**AFFIDAVIT  
Lack of Probate**

State of Washington

County of Skamania

Clinton Russell Skerman being first duly sworn, deposes and says:

1. The undersigned affiant is the Son of J. Russell  
(relationship to decedent) (decedent)  
Skerman who died May 12, 2001 at Seattle  
(date of death) (year) (city)  
 State of Washington then being a legal resident of Seattle  
King Washington  
(county) (state) (city)

**AFFIANT MUST PROVIDE A DEATH CERTIFICATE OF DECEDENT**

2. Check the appropriate box below:

☐ Decedent and surviving spouse executed a Community Property Agreement dated \_\_\_\_\_, a copy of which is attached hereto.

☐ Decedent left no last Will.

☒ Decedent left a last Will which has neither been probated nor revoked; a copy of which is attached hereto.

☐ Decedent left a Will which was probated in \_\_\_\_\_ County, State of \_\_\_\_\_ A copy of an Order Admitting Will to Probate, Decree of Distribution or equivalent court documentation is attached hereto.

3. The heirs at law of the decedent, including spouse, natural or adopted children, children of any predeceased child, brothers and sisters, and any surviving parents are as follows:

Clinton R. Skerman 53 Son P.O.B. 332  
(full name) (age) (relationship) (residence)  
Part Townsend, WA  
98368

## HEIRS AT LAW (continued)

Bradford A. Skuman (full name)	45 (age)	Son (relationship)	4211 Laurel Canyon Blvd #218 (residence) Studio City, CA 91604
Ryan T. Skuman (full name)	37 (age)	Son (relationship)	4211 Laurel Canyon Blvd #218 (residence) Studio City, CA 91604
_____ (full name)	_____ (age)	_____ (relationship)	_____ (residence)
_____ (full name)	_____ (age)	_____ (relationship)	_____ (residence)

(attach additional page for additional names)

4. All debts of the decedent and/or the marital community, including, but not limited to all expenses due to decedent's last illness, funeral and burial, and all applicable federal and state succession or inheritance taxes have been fully paid, except as follows:

N/A

5. The decedent [ ] had ☒ had never received from the State of Washington assistance consisting of nursing facility services, home and community-based services, related hospital and prescription drug services, or any other type of medical assistance.
6. As of the date of death, the value of all community property of the decedent was approximately \$ \_\_\_\_\_. The value of all separate property of the decedent was approximately \$ 450,000.
7. Other facts regarding the decedent, decedent's estate, or matters which pertain to the current transaction:

THIS AFFIDAVIT IS MADE TO INDUCE FIRST AMERICAN TITLE INSURANCE COMPANY (THE COMPANY) TO ISSUE ITS POLICIES OF TITLE INSURANCE ON REAL PROPERTY PASSING TO THE AFFIANT(S) IN RELIANCE UPON THE REPRESENTATIONS SET FORTH ABOVE. AFFIANT AGREES TO INDEMNIFY AND HOLD THE COMPANY HARMLESS FROM LOSS OR DAMAGE WHICH IT MAY SUFFER AS A RESULT OF SAID RELIANCE.

CLINTON R. SHERMAN  
Affiant's Full Name

10/3/01  
Date

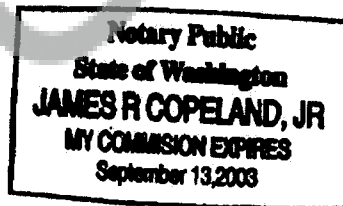
\_\_\_\_\_  
Affiant's Full Name

\_\_\_\_\_  
Date

STATE OF WASHINGTON }  
COUNTY OF Sherman } ss.

On this day personally appeared before me Clinton R. Sherman to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the use and purposes therein mentioned.

GIVEN under my hand and official seal this 3 day of October, 2001.



[Signature]  
Notary Public in and for the State of  
Washington, residing at Shenandoah  
My appointment expires 9-13-03

WILL  
OF  
J. RUSSELL SHERMAN

I, J. RUSSELL SHERMAN, a resident of the County of Skamania, State of Washington, and a citizen of the United States of America, declare this to be my Will:

FIRST: I revoke all Wills and Codicils heretofore made by me.

SECOND: I declare that I am married to MARGARET E. SHERMAN, however, we are living separate and apart and we plan to terminate our marriage. I further declare that the only children I have had are my three (3) sons from a prior marriage, namely, CLINTON RUSSELL SHERMAN, BRADFORD ALAN SHERMAN and RYAN TODD SHERMAN, each of whom is an adult. I have no other children, either living or deceased.

THIRD: I declare that I established a revocable, living trust, called "The J. RUSSELL SHERMAN FAMILY TRUST," by Declaration of Trust dated April 28, 1981, as amended by the Third Amendment to and Complete Restatement thereof dated June 9, 1993. All references in this Will to the "Trust" are to said trust, as amended.

FOURTH: I intend by this Will to dispose of any and all property over which I have the power of testamentary disposition. I do not intend to exercise any power of appointment that I may have at the time of my death.

- 1 -

2262107

THE ORIGINAL OF THIS DOCUMENT  
IS HELD FOR SAFEKEEPING  
IN THE OFFICE OF  
MUSICK, P. MILLER & CALVERT LLP  
ONE WILSHIRE BOULEVARD  
LOS ANGELES, CALIF. 90017

Furthermore, I declare that I have neither entered into a contract to make a Will nor entered into a contract to refrain from revoking my Will.

FIFTH: The Trust contains certain provisions regarding the payment of death taxes upon my death. To the extent that such death taxes are not paid from the Trust as provided in the Trust, I direct that all inheritance, estate and other death taxes (including penalties and interest) that may by reason of my death be attributable to my probate estate or any portion of it, including any property received by any person as a family allowance or homestead, be charged against and paid from the residue of my estate disposed of by this Will, without adjustment among the residuary beneficiaries and without charge against or collection from any beneficiary of my probate estate.

SIXTH: I give to the Trustee of the Trust, to be held, administered and distributed as a part of the Trust, according to its terms and according to the terms of any amendment or amendments made to it prior to my death, my entire interest in jewelry, clothing, household furniture, furnishings, equipment and appliances, silverware, china, crystal, wine, antiques, paintings, sculptures and other works of art, collections, personal effects, books and other tangible articles of a personal nature, together with any insurance on such property. If the Trust is not in existence at the time of my death, then this disposition shall lapse, and such property shall instead be disposed of as a part of the residue of my estate.

SEVENTH: I give the residue of my estate to the Trustee of the Trust, to be held, administered and distributed as a part of the Trust, according to its terms and according to the terms of any amendment or amendments made to it prior to my death. It is not my intent to create a separate trust by this Will or to subject the Trust or the property added to it by this Will to the jurisdiction of any court. If for any reason the disposition made in this Article is not operative or is invalid, or if the Trust is not in existence at the time of my death, then I give the residue of my estate to the Trustee named in the Trust, in trust, to be held, administered and distributed according to its provisions as it presently exists, which provisions are hereby incorporated herein by this reference.

EIGHTH: If any beneficiary under this Will or the Trust, or any legal heir of mine, or person claiming under any of them, in any manner, directly or indirectly, contests or attacks this Will or the Trust, or any of their provisions, or conspires with or assists anyone attempting to do any of these things, then I specifically disinherit each such person, and all legacies, devises, bequests and interests given under this Will to that person shall be forfeited, and for all purposes of this Will such person shall be deemed to have predeceased me. Expenses to resist any contest or any other attack of any nature upon any provision of this Will or the Trust shall be paid from my estate or the Trust, as the case may be, as expenses of administration. Nothing in this Article shall be construed as preventing any person from disclaiming any part of any bequest to such person

under this Will or the Trust. As used in this Article, the term "the Trust" also includes any amendment to the Trust.

NINTH: I have intentionally and with full knowledge omitted to provide in this Will and the Trust for my wife, MARGARET E. SHERMAN. Furthermore, I have intentionally and with full knowledge omitted to provide in this Will and the Trust for any person or persons not mentioned in this Will or the Trust who, if I had died intestate, would be entitled to share in my estate as an heir at law or otherwise.

TENTH: I nominate my sons, CLINTON RUSSELL SHERMAN, BRADFORD ALAN SHERMAN and RYAN TODD SHERMAN, to serve as Co-Executors of this Will. If any of my said sons is or becomes unable or unwilling to serve or to continue to serve for any reason, then the other or others of them shall serve as Co-Executors or as sole Executor, as the case may be. As used in this Will, the term "Executor" shall mean "Executors" whenever more than one person or entity is so serving.

None of my said sons shall be required to furnish bond while serving as Executor or Co-Executor.

My Executor shall have the power to sell, lease, grant options, and to encumber all or any portion of the property belonging to my estate upon such terms as my Executor deems appropriate, with or without notice and with or without previous order of Court, but subject to confirmation as provided by law.

My Executor shall have the power to invest and reinvest surplus funds in my probate estate in every kind of property,



real, personal or mixed, that persons of prudence, discretion and intelligence acquire for their own account.

My Executor shall have the power to continue to operate any business or other enterprise in which I may be interested at the time of my death and which may be a part of my estate, the profits and losses therefrom to inure to, and be chargeable against, my estate.

Except as otherwise specifically provided in this Will, my Executor shall have the power to make any payment or distribution required or authorized under this Will either wholly or partly in kind, at fair market value at date of distribution, and to cause any share to be composed of cash, property or undivided fractional interests in property, on a prorata or non-prorata basis.

My Executor shall have the power to employ attorneys, investment counsel, accountants, bookkeepers or other persons to render services for the Executor or on the Executor's behalf with respect to all matters pertaining to the administration of my estate, and to pay from estate funds the reasonable fees and compensation of such persons, said fees and compensation to be paid in addition to the commissions paid to the Executor for the Executor's ordinary and extraordinary services.

My Executor shall have the power to exercise any stock or other options or elections which are then exercisable.

Except to the extent fundamentally inconsistent with the provisions of my Will and my estate plan, I authorize my Executor to disclaim, in whole or in part, any devise or legacy

or any interest in any trust provided for my benefit under the Will of any person or under any trust instrument.

Except as otherwise specifically provided in this Will, all title, rights, powers, discretions, privileges, duties and obligations given to my Executor shall also apply to any successor Executor or Administrator with Will Annexed.

I encourage my Executor, without imposing any legal obligation upon my Executor, to allocate my unused generation-skipping transfer tax exemption (after taking into account any other allocation or allocations of such exemption made during my lifetime and/or to be made upon my death) ("Unused GST Exemption") to the trusts or shares created under Paragraphs 4.3(b) and 4.4 of the Trust upon my death. However, my Executor shall not be liable to any beneficiary under this Will or the Trust, or to any other person interested in my estate or the Trust, or to any other transferee of property as a result of my death, for making or failing to make such allocation, or for making a different allocation, if my Executor, after consulting with the attorneys for my estate, shall determine, in my Executor's discretion, that such a course of action is or will be beneficial to any of my issue, any other beneficiary under this Will or the Trust, or any other transferee of property as a result of my death. My Executor shall not be liable to any such person for such action or non-action, notwithstanding the fact that such Executor may be a beneficiary, interested person or transferee and, as such, may have a conflict of interest.

My Executor (and any individual successor Executor specifically designated in this Will) may exercise all rights or powers accorded my Executor by law and by this Will with respect to any and all property which now constitutes, or which may constitute, a part of my estate, notwithstanding any interest which my Executor may have therein, either as an individual or as a fiduciary of any other estate or trust. My selection of Executor is made with full knowledge that such interests may exist, and it is my intent that my Executor, as an individual or as a fiduciary, may deal with himself or herself as Executor hereunder, as if he or she were a stranger hereto, irrespective of any actual or claimed conflict of interest.

**ELEVENTH:** As used in this Will and to the extent appropriate, the masculine, feminine and neuter gender shall each include the other two genders and the singular shall include the plural and the plural shall include the singular. If any provision of this Will is unenforceable, the remaining provisions shall nevertheless be carried into effect.

**TWELFTH:** Unless specifically provided otherwise, as used in this Will, references to any Will include any Codicil or Codicils made to such Will, and references to a particular section of any code, statute or regulation include any successor thereto and amendment thereof.

**THIRTEENTH:** The validity, construction and all rights under this Will are governed by the laws of the State of Washington.

I subscribe my name to this Will this 28  
day of August, 1999, at Vancouver,  
Washington.

J. Russell Sherman  
J. RUSSELL SHERMAN

Each of us declares under penalty of perjury under the laws of the State of Washington that J. RUSSELL SHERMAN declared this instrument, consisting of nine (9) pages including this page and the following page, to be his Will and signed the same in our presence, all of us being present at the same time, and we now, at the Testator's request, in the Testator's presence and in the presence of each other, sign below as witnesses, declaring that J. RUSSELL SHERMAN is over the age of eighteen (18) years and appears to be of sound mind and acting under no duress, menace, fraud or undue influence.

Each of us is now more than eighteen (18) years of age  
and resides at the address set forth after his or her name.

Executed on this 28 day of  
August, 1999, at Vancouver, Washington.

Lisa Calen residing at 5301 E. MILL PLAIN BLVD  
Signature VANCOUVER, WA 98661

LISA CALEN  
Print Name

Mary Jean Odell residing at 558 NE 4th  
Signature CLATSOP, WA 98607

MARY JEAN ODELL  
Print Name

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH

CERTIFIED COPY OF DEATH CERTIFICATE

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TYPE ON PREVIOUS PERMANENT BLACK INK

4861

LOCAL FILE NUMBER

Health  
CERTIFICATE OF DEATH

146

STATE FILE NUMBER

1. NAME J. Russell Sherman				2. SEX (M / F) Male		3. DEATH DATE (Mo, Day, Yr) May 12, 2001	
4. AGE LAST BIRTHDAY 85		5. UNDER 1 YEAR AGE		6. UNDER 1 DAY HOURS		7. BIRTHDATE (Mo, Day, Yr) 01/11/1916	
8. BIRTHPLACE LA, CA		9. WAS DECEDENT EVER IN U.S. ARMED FORCES YES		10. COUNTY OF BIRTH King		11. INCORPORATED IN LAST 10 YEARS (Yes / No) NO	
12. CITY, TOWN OR LOCATION OF DEATH Seattle				13. PLACE OF DEATH - IS SON FOR PLACE THEN GIVE ADDRESS OR INSTITUTION NAME Virginia Mason Medical Center			
14. MARITAL STATUS - Is decedent, never married, widowed, divorced or single? Divorced		15. SURVIVING SPOUSE or child, give maiden name		16. SOCIAL SECURITY NO		17. DECEASED'S EDUCATION (Specify any highest grade completed) College 1-4 or 5-4 2 yrs	
18. USUAL OCCUPATION (Provide if not doing usual work of working hrs. DO NOT USE RETIRED)		19. INDUSTRY OR BUSINESS OR ACTIVITY Oil Industry		20. Was Decedent of Hispanic origin or descent? (Specify race or No. If race specify Cuban, Mexican, Puerto Rican, etc.) (Yes / No) Specify: NO		21. RACE (Specify) Caucasian	
22. RESIDENCE - HOME AND STREET 2932 77th		23. CITY/TOWN OR LOCATION Mercer Island		24. STATE WA		25. ZIP CODE 98040	
26. DECEASED'S NAME - FIRST, MIDDLE, MAIDEN SURNAME Milton Ray Sherman				27. DECEASED'S NAME - FIRST, MIDDLE, MAIDEN SURNAME Lila Delphi Ree			
28. REPORTED BY NAME Ryan Todd Sherman		29. MAILING ADDRESS 421 31st Avenue		30. CITY OR TOWN Seattle, Washington		31. STATE 98122	
32. DATE OF DEATH 05/16/2001		33. CREMATION - YES Queen Anne Crematory		34. LOCATION - CITY/TOWN, STATE Seattle, Washington		35. ADDRESS OF FACILITY 300 E. Pine Street Seattle, Washington 98122	
36. SIGNATURE AND TITLE <i>[Signature]</i>				37. NAME OF FACILITY Butterworth Manning Ashmore			
38. TO BE COMPLETED ONLY BY MEDICAL PERSONNEL 43. ON THE BASIS OF EXAMINATION AND/OR INFORMATION, IN ANY OTHER DEATH OCCURRED AT THE TIME, DATE AND PLACE AND WAS DUE TO THE CAUSE STATED. SIGNATURE AND TITLE <i>[Signature]</i>				44. DATE SIGNED (Mo, Day, Yr) 5/14/01			
45. HOUR OF DEATH (Mo, Day, Yr) 0300				46. HOUR OF DEATH (Mo, Day, Yr)			
47. HOUR PROLONGED DEAD (Mo, Day, Yr)				48. HOUR PROLONGED DEAD (Mo, Day, Yr)			
49. NAME AND ADDRESS OF CORNER - PROVIDER MEDICAL EXAMINER OR CORNER (Type or Print) John Addison Md 7711 SE 27th Street Mercer Island, Washington 98040				50. MEDICOR FILE NUMBER			
51. ENTER THE DISEASE, INJURY, OR COMPLICATIONS WHICH CAUSED THE DEATH: A. Small Bowel Obstruction B. DUE TO, OR AS A CONSEQUENCE OF: C. DUE TO, OR AS A CONSEQUENCE OF: D. DUE TO, OR AS A CONSEQUENCE OF:				52. INTERNAL BETWEEN ORBIT AND DEATH INTERNAL BETWEEN ORBIT AND DEATH INTERNAL BETWEEN ORBIT AND DEATH INTERNAL BETWEEN ORBIT AND DEATH			
53. OTHER SIGNIFICANT CONDITIONS - CONDITIONS CONTRIBUTING TO CAUSE, BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN ABOVE: Alzheimer's Disease				54. ALICOPY (Yes / No) NO			
55. ADDRESS (Mailing, Legal, or Residence) (Specify) Seattle, WA				56. DATE RECEIVED (Mo, Day, Yr) MAY 16 2001			

EXHIBIT "A"

PARCEL I

The North Half of the Southeast Quarter of the Northwest Quarter; the West Half of the Northwest Quarter of the Southwest Quarter of the Northeast Quarter; the South Half of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter; and the South Half of the North Half of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 10, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington.

EXCEPT that portion thereof covered by Blue Lake, its immediate shore line and a strip of land 200 feet wide adjacent to and paralleling the shore of Blue Lake.

ALSO EXCEPT that portion thereof which lies within the 300 foot strip of land acquired by the United States of America for the Bonneville Power Administration Electric Power Transmission Lines.