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Date: 04/01/2005 03:28P
Filed by: HAGENSEN STRAHM
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$25.00

AFTER RECORDING MAIL TO:

HAGENSEN _____
STRAHM _____
ATTORNEYS
A Professional Service Corporation

335 NE Fifth Avenue
Camas, Washington 98607

**AFFIDAVIT OF SURVIVING SPOUSE IN SUPPORT
OF COMMUNITY PROPERTY AGREEMENT**

REAL ESTATE EXCISE TAX

Grantor: Virginia I. Mitchell

N/A

Grantee: The Public

APR - 1 2005

Legal Description:

PAID CPA + Death Cert Excise #24806
VICKI CHILLEN/DO NOT
DTP 4-01-05

Additional legal description on page _____ of document

Reference No. of documents assigned or released:

Additional reference on page _____ of document.

Assessor's Property Tax Parcel Account Number:

Gary H. Martin, Skamania County Assessor
Date 4-1-05 Parcel # 02-05-31-43-1100-00

STATE OF WASHINGTON)
)ss.
COUNTY OF SKAMANIA)

I, Virginia I. Mitchell, being first duly sworn on oath depose and state as follows:

I am the surviving spouse of Herbert S. Mitchell, who died on November 10, 2004. That decedent was a permanent resident of Skamania County, State of Washington at the time of death. Decedent and affiant were parties to a Community Property Agreement as provided by the statutes of the State of Washington bearing date September 27, 2004, and which instrument is recorded under Auditor's File No. 2005156798 records of Skamania County, Washington. The aforesaid Community Property Agreement had not been amended, annulled or abrogated by the

parties to said agreement in any manner or particular, and that said agreement was in all respects in full force and effect at the time of decedent's death as aforesaid.

At the time of decedent's death, affiant and decedent owned as their community property the assets listed on the attached Exhibit "A" which is incorporated herein by reference. The estimated value of all said decedent's one-half interest in said community property is less than \$1,500,000.00. Decedent owned no separate property, and the estate does not exceed \$1,500,000.00, and, therefore, is exempt from any Federal or State Inheritance Taxes.

All debts and obligations of decedent, including all such obligations which would be claims against the estate, and including the expenses of funeral and last illness, are fully paid. That affiant makes this affidavit to establish title and ownership of the entire community estate of decedent and affiant as hereinabove described and identified.

Virginia I. Mitchell
VIRGINIA I. MITCHELL

SUBSCRIBED AND SWORN to before me this 28th day of March, 2005.

TERESA M. FARLEY
NOTARY PUBLIC
STATE OF WASHINGTON
My Commission Expires
OCTOBER 21, 2006

Teresa M. Farley
NOTARY PUBLIC
My commission expires: 10/21/06

EXHIBIT "A"

COMMUNITY PROPERTY OF

1. Real Property:

- A. Located at 241 Malfait Road, Washougal, Washington more particularly described as follows:

Gary H. Martin, Skamania County Assessor

Date 4-1-05 Parcel # 02-05-31-43-1100-00

Lot 2 of MALFAIT RIVER FRONT TRACTS, according to the plat thereof, on file and of record at page 123 of Book "A" of Plats, records of Skamania County, Washington.

Fair market value \$260,000.00

- B. Clatskanie Woods (approximately 21.29 acres), located on North side of US Highway 30 within the S. ½ Section 9, Township 1 North, Range 4 West of the Willamette Meridian, Clatskanie, Oregon, more particularly described in Exhibit "B" attached hereto and incorporated herein by this reference.

Fair market value \$585,000.00

- C. ½ interest in Clatskanie River RV Park (12.24 acres), located on US Highway 30 and Van Street, Clatskanie, Oregon, more particularly described as follows:

Commencing at a point on the West line of the H.B. Hastings Donation Land claim in Section 9, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon where same is intersected by the South line of the 1953 relocated Columbia River Highway, as established by deed recorded in Book 119, page 513 and in Book 121, page 318, Deed Records; thence Easterly along South line of said highway as above described to its point of intersection with the Southwesterly right of way line of the county road, said road being known as Swedetown Road and as Clatskanie River road; thence Southeasterly along Southwesterly line of said County Road to a point that is Northwesterly 550 feet from its intersection with the East line of the H.B. Hastings Donation Land Claim; thence South 04° West 353 feet; thence South 41½° East 300 feet to center of Clatskanie River; thence following center of Clatskanie River in a Westerly direction to its intersection with West line of the H.B. Hasting Donation Land claim in said Section 9; thence North on Claim line to point of beginning. EXCEPT any portion lying East of West line of Hazel Grover Road. ALSO EXCEPTING that portion

conveyed in deeds recorded July 2, 1985 in Book 257, pages 734 and 736, Deed Records of Columbia County, Oregon.

Together with an Easement for a 50 foot wide roadway, sewerline and waterline as disclosed in deed recorded September 22, 1986 in Book, 265, page 300, Deed Records of Columbia County, Oregon.

Fair market value	\$100,000.00	
TOTAL		\$945,000.00
2. Bank Accounts:		
A. US Bank (checking)	\$ 423.68	
B. West Coast (checking)	\$ 460.53	
C. West Coast (LLC checking)	\$ 26,003.21	
TOTAL		\$ 26,887.42
3. Assignment Agreements:		
A. Hettman-Johnson property	\$ 75,000.00	
B. Hettman property	\$ 90,000.00	
C. Hinton (Lingle Family Trust)	\$424,000.00	
D. Riverside Homes, Inc. (Hawthorne Ridge Michael property)	\$270,000.00	
TOTAL		\$859,000.00
4. Automobiles:		
A. 2000 Ford pickup	\$ 10,000.00	
B. 2000 Mitsubishi Lancer	\$ 8,000.00	
TOTAL		\$ 18,000.00
5. Household goods and furnishings:		
TOTAL		\$ 3,000.00
GRAND TOTAL		\$1,851,887.42

Exhibit "B"

PARCEL 1:

That portion of the South Half of Section 9, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, described as follows:

Beginning at a point on the North line of tract conveyed to Harold R. Hytinen, et ux, recorded in Deed Book 176, page 523, said point being East 1424.84 feet and North 834.84 feet and West 413 feet from the Northwest corner of the James Hill Donation Land Claim in said Section 9; thence North 0°15' West along a West line of tract described in Deed to Willard T. Evenson, et al, recorded in Deed Book 149, page 282, 186.02 feet to an interior angle corner of said tract described in said Deed to Willard T. Evenson, et al; thence North 86°10' West along a South line of said Evenson tract 994.69 feet to a point; thence continuing along a South line of said Evenson tract North 88°37' West 217.5 feet to a corner of said Evenson tract; thence South 1°23' West a distance of 41 feet to a point; thence North 88°37' West 213.46 feet to a point; thence South 6°43' West 343.05 feet to a point; thence South 4° 00' West a distance of 158 feet to the Northerly edge of a 50 foot road right-of-way line; thence North 86° 54' West along the Northerly right-of-way line of said 50 foot road easement a distance of 80.42 feet to the arc of a 50 foot radius curve; thence along said arc in a Westerly direction (the long chord bears North 60° 18' West 55.01 feet) a distance of 58.27 feet; thence along said arc in the Southerly direction (the long chord bears South 44° 44' West 66.42 feet) a distance of 72.64 feet; thence along said arc in a Southerly direction (the long chord bears South 37° 38' East 65.24 feet) a distance of 71.07 feet; thence Easterly along said arc (the long chord bears North 67° 22' East 56.33 feet) a distance of 59.84 feet; thence South 86° 54' East along the Southerly right-of-way line a distance of 149.64 feet; thence South 4° 00' West a distance of 158 feet to a point; thence South 86° 54' East along the North line of the Farmer tract 394.50 feet to the Northeast corner of said Farmer tract, said point being on the East line of the H. B. Hasting Donation Land Claim; thence South 0° 15' East along the East line of said DLC 168.41 feet to the Northerly right-of-way line of the Columbia River Highway, as described in Deed Book 120, page 323; thence Easterly along the Northerly right-of-way line of said highway to the West line of said Doyle tract; thence North 1° 25' West along the West line of said Doyle tract 622.29 feet to the Northwest corner of said Doyle Tract; thence North 89° 44' East along the North line of said Doyle tract 434.11 feet to the point of beginning. EXCEPT any portion thereof lying in the Shirley R. Lillich parcel as such boundary line was established by Deed Book 198, page 307.

PARCEL 2:

A 50 foot non-exclusive road easement described as follows:

Beginning at the Northeast corner of the Dennis R. Conners tract, as described in Deed Book 213 at page 793, said Northeast corner being North 1820.80 feet and East 1252.60 feet from the Southwest corner of Section 9, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon; thence South 0°03' East along the East line of said Conners tract, a distance of 21.60 feet to the most Westerly Northwest corner of Parcel No. 1 of the Brian L. Carr tract, as described in Fee No. 88-2221, Records of Columbia County; thence South 76°23'20" East along the Northerly line of said Parcel No. 1 a distance of 193.07 feet; thence South 4°00' West, a distance of 157.40 feet to the arc of a 50 foot radius curve and the true point of beginning of the easement herein described; thence along said arc in a Easterly direction (the long chord bears South 60°18' East 55.01 feet), a distance of 58.27 feet; thence South 86°54' East a distance of 80.42 feet; thence South 4°00' West a distance of 50.00 feet; thence North 86°54' West, a distance of 79.64 feet to a 50 foot radius curve to the right (the long chord bears North 30°17'20" West 89.38 feet), a distance of 203.55 feet to the true point of beginning.

PARCEL 3:

A 50 foot non-exclusive easement being 25.00 feet on each side of the following described center line:

Beginning at the Northeast corner of the Dennis R. Conners tract, as described in Deed Book 213 at page 793, said Northeast corner being North 1820.80 feet and East 1251.60 feet from the Southwest corner of Section 9, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon; thence South 0°03' East along the East line of said Conners tract, a distance of 21.60 feet to the most Westerly Northwest corner of Parcel No. 1 of the Brian L. Carr tract, as described in Fee No. 88-2221, Records of Columbia County; thence South 76°23'20" East along the Northerly line of said Parcel No. 1 a distance of 193.07 feet; thence South 4°00' West, a distance of 157.40 feet to the arc of a 50 foot radius curve; thence along said arc in a Easterly direction (the long chord bears South 60°18' East 55.01 feet), a distance of 58.27 feet; thence South 86°54' East a distance of 80.42 feet; thence South 4°00' West a distance of 25.00 feet to the true point of beginning of the center line herein described; thence South 88°32' East, a distance of 478.77 feet; thence South 15°13' East, a distance of 140.94 feet; thence South 54°35' East a distance of 55.22 feet; thence South 79°36' East, a distance of 122.00 feet; thence South 66°21' East, a distance of 149.56 feet; thence South 47°29' East a distance of 48.84 feet; thence South 21°57' East, a distance of 72.24 feet, more or less, to the Northerly right of way line of the Columbia River Highway and the terminus of said easement.

PARCEL 4:

A tract of land in the Southwest quarter of Section 9, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at a point on the East line of the Henry B. Hastings Donation Land Claim which is South 1275.9 feet from the Northeast corner of said Land Claim, said point being the Northeast corner of the tract described in the Quitclaim Deed recorded October 29, 1974 in Book 198, page 307, Deed Records of Columbia County, Oregon said point of beginning is the most Northeasterly corner of the tract conveyed to Raymond L. Farmer, husband and wife, by instrument No. 91-0450, Clerk's Records, Columbia County, Oregon, said point also being the Northeast corner of the Jeffrey T. & Shelly L. Trass tract as described in Instrument No. 00-01574, Clerk's Records, Columbia County, Oregon; thence North 89°02'18" West, along the North line of said Trass tract, a distance of 166.28 feet to a point that is South 89°02'18" East 151.00 feet from the Northwest corner of said Trass tract, said point being the true point of beginning of the following described tract; thence continuing North 89°02'18" West, along said North line of the Trass tract, a distance of 151.00 feet to the Northwest corner of said Trass tract; thence South 15°25'55" East, along the West line of said Trass tract, a distance of 206.28 feet to the Southwest corner of said Trass tract; thence leaving the boundary of said Trass tract, North 26°04'51" East a distance of 218.56 feet to the true point of beginning.

PARCEL 5:

A tract of land in the Southwest quarter of Section 9, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at a point on the East line of the Henry B. Hastings Donation Land Claim which is South 1275.9 feet from the Northeast corner of said Land Claim, said point being the Northeast corner of the tract described in the Quit Claim Deed recorded October 29, 1974 in Book 198, page 307, Deed Records of Columbia County, Oregon said point of beginning is the most Northeasterly corner of the tract conveyed to Raymond L. Farmer and Geraldine E. Farmer, husband and wife,

by Instrument No. 91-0450, Clerk's Records, Columbia County, Oregon, said point also being the Northeast corner of the Jeffrey T. & Shelly L. Trass tract as described in Instrument No. 00-01574, Clerk's Records, Columbia County, Oregon; thence North 89°02'18" West, along the North line of said Trass tract, a distance of 317.28 feet to the Northwest corner of said Trass tract and the true point of beginning of the following described tract; thence continuing North 89°02'18" West, along the North line of said Farmer tract, a distance of 12.00 feet; thence South 04°00'00" West a distance of 177.94 feet; thence South 72°36'19" West a distance of 33.14 feet; thence South 81°51'13" West a distance of 124.04 feet; thence South 83°47'56" West a distance of 209.72 feet; thence South 88°58'14" West a distance of 100.19 feet; thence South 74°30'25" West a distance of 38.74 feet more or less to the Northerly right of way line of the Columbia River Highway; thence Easterly, along said Northerly right of way line, a distance of 580 feet more or less to the Southwest corner of said Trass tract as described in Instrument No. 00-01574; thence North 15°25'55" West, along the West line of said Trass tract, a distance of 206.28 feet to the true point of beginning.

EXCEPTING THEREFROM any portion lying within deed recorded June 30, 1965 in Book 158, page 862, Records of Columbia County, Oregon.

PARCEL 6:

Beginning at an iron stake which is North 1030.91 feet and East 1029.19 feet from the Southwest corner of Section 9, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon; said point being 60.0 feet Northerly from (when measured at right angles to) the centerline of the re-located Columbia River Highway at engineer's station 1714+30; thence along the right of way line of said re-located Columbia River Highway North 43°05' East 128.02 feet to the true point of beginning; thence North 43°05' East a distance of 199.07 feet; thence South a distance of 140.57 feet; thence parallel to and 150 feet from the centerline of the said re-located Columbia River Highway a distance of 136.07 feet to the true point of beginning.

EXCEPTING THEREFROM that portion conveyed to Richard L. Garcia et ux by deed recorded January 25, 1990 as Fee No. 90-0376, Records of Columbia County, Oregon.

ALSO EXCEPTING THEREFROM that portion conveyed to Richard L. Garcia et ux by deed recorded May 23, 1990 as Fee No. 90-2760, Records of Columbia County, Oregon.

ALSO EXCEPTING THEREFROM that portion conveyed to Raymond L. Farmer et ux by deed recorded February 21, 1992 as Fee No. 92-1015, Records of Columbia County, Oregon.

PARCEL 7:

That portion of the Southwest quarter of Section 9, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, described as follows:

Beginning at an iron stake which is North 1030.91 feet and East 1029.19 feet from the Southwest corner of said Section 9; said point being 60 feet Northerly from (when measured at right angles to) the center line of the relocated Columbia River Highway at Engineers Station 1714+30; thence North 43°05' East 144.57 feet; thence South 78°04' West 87.35 feet; thence North 70°01' West 51.0 feet; thence North 71°37' West 52.76 feet; thence North 76°09' West 50.9 feet; thence North 82°10' West 77.0 feet; thence South 89°36' West 65.0 feet, more or less, to the Westerly line of the tract described in Deed Book 130, page 633; thence South 43°05' West to the Northerly edge of the County Road right of way; thence Southeasterly along said County Road right of way to the point of beginning.