

Date: 02/15/2007 09:49A

Filed by: GERALD A BARNES

Filed & Recorded in Official Records  
of SKAMANIA COUNTY

SKAMANIA COUNTY AUDITOR

J MICHAEL GARVISON

Fee: \$39.00

**WHEN RECORDED RETURN TO:**

GERALD A. BARNES

62 DESOLATION ROAD

HOME VALLEY WASH 98648

**DOCUMENT TITLE(S)**

LAST WILL AND TESTAMENT OF GAY GEORGE BARNES

**REFERENCE NUMBER(S)** of Documents assigned or released:☐ Additional numbers on page \_\_\_\_\_ of document.**GRANTOR(S):**

GAY GEORGE BARNES

☐ Additional names on page \_\_\_\_\_ of document.**GRANTEE(S):**

THE PUBLIC

☐ Additional names on page \_\_\_\_\_ of document.**LEGAL DESCRIPTION** (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):☐ Complete legal on page \_\_\_\_\_ of document.**TAX PARCEL NUMBER(S):**☐ Additional parcel numbers on page \_\_\_\_\_ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

1  
2  
3 **LAST WILL AND TESTAMENT**  
4  
5 **OF**  
6 **GAY GEORGE BARNES**

7 I, GAY GEORGE BARNES, Social Security Number , of  
8 Home Valley, Skamania County, Washington, declare this my Last Will and  
9 Testament and revoke all former Wills and Codicils.  
10

11 **I.**  
12 **FAMILY**

13 I hereby declare that I am married to ALICE MEDORA BARNES. I have  
14 one child as issue of a previous marriage, namely MERRY JEAN KALAFATICH,  
15 emancipated, and I have no deceased children. I also have two step-children as  
16 issue of my wife's previous marriage, namely DIANE BRYCE GIANANTONIO  
17 and DAVID JAMES HITCHCOCK, JR., both emancipated. References in this  
18 Will to "my children" shall include only MERRY JEAN KALAFATICH, DIANE  
19 BRYCE GIANANTONIO and DAVID JAMES HITCHCOCK, JR. The term  
20 "descendants" refers to all naturally born or legally adopted children of all degrees  
21 of MERRY JEAN KALAFATICH, DIANE BRYCE GIANANTONIO and  
22 DAVID JAMES HITCHCOCK, JR. Except as provided below, I make no  
23 provision in this Will for any child who survives me, whether named herein or  
24 hereafter born or adopted, nor for the descendants of any child who does not  
25 survive me.  
26

27 **ROBERT D.**  
**WEISFIELD**  
Attorney-at-Law

28 WSBA # 3538  
P.O. Box 421  
(218 E. Steuben)  
Bingen, WA 98605  
(509) 493-2772

28 Last Will and Testament of GAY GEORGE BARNES  
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JB

II.

PERSONAL REPRESENTATIVE

I hereby direct that except to offer this Will for probate as required by law, said Personal Representative as herein named, shall manage, close, and settle my estate without the intervention of any court or courts whatsoever; and I give said Personal Representative full power and authority to manage, pledge or sell any personal or real property or mixed, and of whatever nature, kind or description, at public or private sale without the necessity of an application to or confirmation by any court whatsoever, if in his or her discretion such course may be necessary for the best interests of my estate.

I hereby nominate and appoint my wife, ALICE MEDORA BARNES, as Personal Representative of this my Last Will and Testament, to act without bond and without the intervention of any court or courts. In the event ALICE MEDORA BARNES is unable or unwilling to serve as Personal Representative, I hereby nominate and appoint my nephew, GERALD ALLEN BARNES, to act as Alternate Personal Representative of this my Last Will and Testament, also to act without bond and without the intervention of any court or courts. In the event GERALD ALLEN BARNES is unable or unwilling to serve as Personal Representative, I hereby nominate and appoint my daughter, MERRY JEAN KALAFATICH, to act as second Alternate Personal Representative of this my Last Will and Testament, also to act without bond and without the intervention of any court or courts.

All powers and duties conferred on my Personal Representative shall apply to the Alternate Personal Representative. To the extent permitted by law, my estate shall be managed, administered, distributed and settled in the manner provided herein, and specifically without the intervention of any court, board,

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1 tribunal or officer, except as herein specified. Should it be necessary for a  
2 representative of my estate to qualify in any jurisdiction outside of the state of  
3 which I die a resident wherein my domiciliary personal representative cannot or  
4 may not desire to qualify, then I nominate such person or corporation as may be  
5 designated by my domiciliary personal representative.

6  
7 **III.**

8 **DEBTS AND EXPENSES**

9 I hereby direct and order that all just debts for which proper claims are filed  
10 against my estate, and the expenses of my last illness, be paid by my Personal  
11 Representative hereinbefore named as soon after my death as is practicable;  
12 provided, however, that this direction shall not authorize any creditor to require  
13 payment of any debt or obligation prior to its normal maturity in due course.

14  
15 **IV.**

16 **TAXES**

17 I direct that taxes imposed by reason of my death, together with any interest  
18 and penalties, with respect to property passing under this Will or otherwise be paid  
19 out of my residuary estate.

20  
21 **V.**

22 **SEPARATE LETTER OF INSTRUCTIONS**

23 I direct that my Personal Representative dispose of certain articles of  
24 tangible personal property among my beneficiaries in accordance with a separate  
25 letter of written instructions as authorized under RCW 11.12.260 which shall be  
26 left with said Personal Representative or attached to this, my Last Will and

27  
28 Last Will and Testament of GAY GEORGE BARNES  
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1 Testament. In the event I shall have written no separate letter of instructions, I  
2 direct my Personal Representative to sell such articles as in her or his discretion  
3 she or he may deem to be of no use or value to my beneficiaries, adding the  
4 proceeds from any such sale or sales to the residue of my estate, to be distributed  
5 as set forth hereinbefore.

6 Transportation costs for any personal property distributed as per this Article  
7 V shall be paid by the recipient of such personal property. If the recipient fails to  
8 pay said costs in advance or from his or her distributive share, upon reasonable  
9 notice my Personal Representative shall convert the personal property so that it  
10 becomes part of the residue of my estate and is therefore distributed as part of the  
11 residuary bequest hereinbelow.

## 12 VI.

### 13 RESIDUARY BEQUESTS

14 Residue Defined. The "residue of my estate," as that term is used in this  
15 Article VI, shall mean all of the property which I may own at the time of my death  
16 and which remains after effect is given to the gifts for which provision is made in  
17 Article V above, and after payment of all claims, expenses, taxes and other  
18 liabilities of my estate, and shall include all property of whatever nature and  
19 wherever situated including all gifts made by this Will which fail for any reason  
20 (but excluding any property over which I may have any power of appointment).

21 Disposition. If my spouse survives me by thirty (30) days, I hereby give,  
22 devise and bequeath all of the rest, residue and remainder of my property of every  
23 kind, nature and description, which I may die possessed, whether real, personal or  
24 mixed, of whatsoever kind or nature, and wheresoever situated to my spouse,  
25

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1 ALICE MEDORA BARNES. If my spouse does not survive me by thirty (30)  
2 days, I hereby give, devise and bequeath all of the rest, residue and remainder of  
3 my property of every kind, nature and description, which I may die possessed,  
4 whether real, personal or mixed, of whatsoever kind or nature, and wheresoever  
5 situated to my Trustee, identified in the Living Trust Agreement of GAY  
6 GEORGE BARNES and ALICE MEDORA BARNES, dated January 17, 1992, to  
7 be distributed pursuant to the terms of said Trust Agreement and any amendments  
8 thereto.

9  
10 IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of  
11 February, 2001.

12  
13   
14 GAY GEORGE BARNES, Testator

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24  
25  
26 ROBERT D.  
WEISFIELD  
Attorney-at-Law

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1 The foregoing instrument, consisting of five (5) pages, not including this  
2 page, was at the date thereof by GAY GEORGE BARNES the Testator named  
3 therein, signed, sealed and published as, and declared by him to be his Last Will  
4 and Testament, in the presence of us, who at his request and in his presence, and in  
5 the presence of each other, and who being of the opinion that he, at the time of  
6 executing this Will, was of sound and disposing mind and memory and was not  
7 acting under duress, menace, fraud, or the undue influence of any person or per-  
8 sons, have subscribed our names as witnesses thereto.

9  
10 Nelta C Paasch  
11 WITNESS: Nelta Paasch  
12 Residing at: Stevenson, WA

13 Robert D. Weisfield  
14 WITNESS: Robert D. Weisfield  
15 Residing at: White Salmon, WA



1 STATE OF WASHINGTON )  
2 COUNTY OF KLINKITAT ) ss.

3 Each of the undersigned being first duly sworn, on oath, states that on this  
4 27th day of February, 2001:

- 5 (1) I am of legal age and competent to be a witness to the Will of GAY  
6 GEORGE BARNES (the "Testator").
- 7 (2) The Testator in my presence and in the presence of the other witness whose  
8 signature appears below
- 9 (a) declared the foregoing instrument to be his Will,
- 10 (b) requested me and the other witness to act as witnesses to his Will and  
11 to make this affidavit, and
- 12 (c) signed such instrument.
- 13 (3) I believe the Testator to be of sound mind, and that in so declaring and  
14 signing he was not acting under any duress, menace, fraud, or undue  
influence.
- 15 (4) The other witness and I in the presence of the Testator and of each other  
16 now affix our signatures as witnesses to the Will and make this affidavit.

17 Nelta A Paasch  
18 WITNESS: Nelta Paasch  
19 Residing at: Stevenson, WA

Robert D. Weisfield  
WITNESS: Robert D. Weisfield  
Residing at: White Salmon, WA

20 Given under my hand and official seal this 27th day of February, 2001.

21  
22 ku  
23 LORRIE C. KNOWLES  
24 NOTARY PUBLIC  
25 STATE OF WASHINGTON  
26 COMMISSION EXPIRES  
27 MARCH 4, 2002

Lorrie C. Knowles  
Lorrie C. Knowles  
Notary Public in and for the State of  
Washington, residing at White Salmon  
My commission expires: 3/4/02.

28 ROBERT D. WEISFIELD  
Attorney-at-Law  
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