

When recorded return to:

Mr. and Mrs. CJ Standridge  
27193 Bellfountain Road  
Monroe, OR 97456

Filed for Record at Request of  
Columbia Gorge Title  
Escrow Number: S13-0349JA

Statutory Warranty Deed

THE GRANTOR William A. Brown, Trustee, Esther L. Brown Supplemental Needs Trust u/w/d September 8, 2009 for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to THE GRANTEE C. J. Standridge and Judy Kay Standridge, Husband and Wife the following described real estate, situated in the County of Skamania, State of Washington

Lots 4 and 5, Block 1, Second Addition to Hill Crest Acre Tracts, according to the plat thereof, recorded in Book 1, Page 100, Skamania County, State of Washington.

SUBJECT TO SPECIAL EXCEPTIONS See Attached Exhibit 'A'

Tax Parcel Number(s): 03-75-36-2-3-0700-00  
Skamania County Assessor  
Date 1-15-14 Parcel# 3-75-36-2-3-700  
Jm

Dated 01-09-14

William A. Brown, Trustee of the Esther L. Brown Supplemental Needs Trust

William A. Brown Trustee  
By: William A. Brown, Trustee

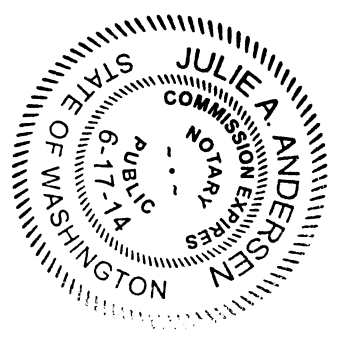
REAL ESTATE EXCISE TAX  
30487  
JAN 15, 2014  
PAID \$1,305.50  
Audrey Palmer Deputy  
SKAMANIA COUNTY TREASURER

STATE OF Washington }  
COUNTY OF Skamania } SS:

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is/are the person(s) who appeared before me, and said person(s) acknowledge that He signed this instrument, on oath stated He is/are authorized to execute the instrument and acknowledge that as the Trustee of The Esther L. Brown Supplemental Needs Trust to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: January 9, 2014

Julie A. Andersen  
Julie A. Andersen  
Notary Public in and for the State of Washington  
Residing at Carson, Washington  
My appointment expires: June 17, 2014



## EXHIBIT A

### SUBJECT TO SPECIAL EXCEPTIONS:

1. Easement, including the terms and provisions thereof:  
For : Utilities  
Recorded : June 4, 1912  
Book : N  
Page : 583
2. Declaration, Covenants, Conditions and Restrictions and/or easements; but deleting any covenant, condition or restriction indication a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status or national origin to the extent such covenant, conditions or restrictions violate Title 42, Section 3604 and 3607, of the United States Codes:  
Recorded : November 12, 1958  
Book : 4  
Page : 143
3. Conditions, Restrictions and Easements, including the terms and provisions thereof, as shown on the recorded plat of Second Addition to Hill Crest.  
See recorded plat for details

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FILED

2010 APR 23 PM 1:55

Sherry W. Parker, Clerk  
Clark County

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR CLARK COUNTY

10 4 00313 5

In Re the Estate of:

) No. \_\_\_\_\_

)

GEORGE A. BROWN,

) ORDER:

) 1) PROBATING WILL AND

) APPOINTING PERSONAL

) REPRESENTATIVE WITHOUT BOND;

) 2) ADJUDICATING ESTATE TO BE

) SOLVENT

) 3) DIRECTING ADMINISTRATION

) WITHOUT COURT INTERVENTION

)

)

)

) *Clerk's Action Required*

Deceased.

)

)

The Petitioner herein, having filed with the Court a petition for order probating will and appointing Personal Representative without bond, adjudicating estate to be solvent, and directing administration without Court intervention, the Court finds:

1. **Jurisdiction.** GEORGE A. BROWN died a resident of Skamania County Washington on March 7, 2010, leaving real and personal property subject to the jurisdiction

ORDER PROBATING WILL AND APPOINTING  
PERSONAL REPRESENTATIVE WITHOUT BOND - 1

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MARGARET MADISON PHELAN P.S.  
Attorneys at Law  
502 E McLoughlin Blvd  
Vancouver WA 98663-3357  
360 696-2069 • 503 243-7810

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1 of this Court. The attorney for the Petitioner is in Clark County, Washington and under  
2 RCW11.96A.050(3) venue for these proceedings may be in Clark County.

3       2.       **Testacy.** Decedent died testate, having duly executed his Last Will and  
4 Testament, which is dated September 8, 2009, before Teresa C. Tweed and Nicole  
5 McCown, competent witnesses. The testimony of the witnesses was reduced to writing at  
6 the time of the execution of the Will and is attached to the Will. The testimony of the  
7 witnesses is accepted as sufficient testimony in proof of the Will.

8       3.       **Heirs and Beneficiaries.** The heirs of the decedent and the beneficiaries  
9 named in the Will are listed on the attached schedule, marked Schedule "A."

10       4.       **Personal Representative.** The Will appointed WILLIAM A. BROWN as  
11 Personal Representative and the named Personal Representative is willing and qualified to  
12 act. WILLIAM A. BROWN is resident of a non-resident state and has appointed KAREN  
13 L. WEBBER and MARGARET MADISON PHELAN as resident agent under RCW  
14 11.36.010 pursuant to an Appointment and Acceptance by Resident Agent filed herein.

15       5.       **No Notice Required Under RCW 11.68.** No advance notice of the hearing  
16 on this Petition that relates to nonintervention powers is required under RCW Chapter 11.68  
17 because the decedent's will designates the Petitioner as the Personal Representative and the  
18 surviving spouse has declined to serve as Personal Representative of the community estate  
19 and further consents to the appointment of the Petitioner as Personal Representative with  
20 nonintervention authority.

21       6.       **Decedent's Estate Solvent.** Petitioner is well acquainted with all of the  
22 decedent's financial affairs. Decedent's estate consists of real and personal property which  
23 has a value in excess of \$250,000. To the best of Petitioner's knowledge, decedent's debts,  
24 including funeral and medical expenses, are not expected to exceed a maximum of \$10,000.  
25 The estate of the decedent is fully solvent.  
26

ORDER PROBATING WILL AND APPOINTING  
PERSONAL REPRESENTATIVE WITHOUT BOND - 2

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1           7.       **Waiver of Bond.** The terms of the decedent's will manifest an intent that  
2 the Personal Representative be appointed to administer the estate without the requirement  
3 of furnishing bond or other security. Accordingly under RCW 11.28.185 no bond shall be  
4 required.


5           8.       **Qualification for Nonintervention Powers** Decedent's Will designates the  
6 Petitioner as the Personal Representative, does not direct that the Personal Representative  
7 shall not be granted nonintervention powers, and the estate is solvent.

8           NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED  
9 as follows:

- 10           1.       That the Will is hereby admitted to probate;  
11           2.       That WILLIAM A. BROWN is confirmed as Personal Representative, to  
12 serve without bond, upon filing oath;  
13           3.       That Letters Testamentary be issued to the Petitioner;  
14           4.       That the estate is declared to be fully solvent and Petitioner is qualified to  
15 serve with nonintervention powers; and  
16           5.       That further administration hereof shall be handled in accordance with the  
17 laws of the State of Washington pertaining to the settlement of estates without the further  
18 intervention of any court.

19                   4-23                   , 2010.  
20                     
21                   \_\_\_\_\_  
22                   JUDGE

23 Presented by:  
24 MARGARET MADISON PHELAN P.S.

25             
26           \_\_\_\_\_  
KAREN L. WEBBER, WSBA #34884  
Of Attorneys for Petitioner

ESTATE OF GEORGE A. BROWN

SCHEDULE A

HEIRS & BENEFICIARIES OF DECEDENT  
GEORGE A. BROWN

<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>	<u>AGE</u>	<u>SHARE</u>
Esther L. Brown 132 NE Shepherd Ave Stevenson WA 98648	Spouse	Legal	100% beneficiary under Esther L. Brown Supplemental Needs Trust u/w/d 9/8/09
William A. Brown 2021 SW Chastain Av Gresham OR 97030	Son	Legal	1/3 % Remainder Beneficiary
Sharren A. [Brown] Jones 4416 NE 58 <sup>th</sup> Street Vancouver, WA 98661	Daughter	Legal	1/3 % Remainder Beneficiary
David E. Brown 18130 S Scott Lane Oregon City, OR 97045	Grandson - identified in Will as a child	Legal	1/3 % Remainder Beneficiary

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FILED

2010 DEC 16 AM 10:46

Sherry W. Parker, Clerk  
Clark County

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR CLARK COUNTY

In Re the Estate of:	)	No. 10 4 00313 5
	)	
GEORGE A. BROWN,	)	DECLARATION OF
	)	COMPLETION OF PROBATE
	)	WITH WILL
	)	RCW 11.68.110
	)	
Deceased.	)	
_____	)	

The undersigned Personal Representative of the above estate files this Declaration of Completion of Probate.

- 1. **Death.** Decedent died on March 7, 2010, a resident of Skamania County, Washington, and left property in this state subject to probate.
- 2. **Will.** Decedent executed a will dated September 8, 2009 that was admitted to probate by Order dated April 23, 2010.
- 3. **Creditors.** Any creditor's claims which were justly due and properly presented as required by law have been paid or otherwise disposed of by agreement with the creditors.

DECLARATION OF COMPLETION  
OF PROBATE WITH WILL - 1

J:\MMP\Clients A-L\Brown Probate\William A. Brown, PR\2010\Declaration of Completion of Probate  
MARGARET MADISON PHELAN P.S.  
Attorney at Law  
502 E McLoughlin Blvd  
Vancouver WA 98663-3357  
360 696-2069 • 503 243-7810

26

1           4.       **Taxes.** No state or federal estate tax was due as a result of the decedent's  
2 death.

3           5.       **Completion of Non-Intervention Powers Except for Tax Power.** The  
4 undersigned Personal Representative has completed the administration of the decedent's  
5 estate without Court intervention, and the estate is ready to be closed PROVIDED  
6 HOWEVER THAT the Personal Representative shall retain authority for completion of the  
7 determination of taxes and any interest and penalties on those taxes as permitted under  
8 RCW 11.68.114.

9           6.       **Heirs.** The name, address and relationship of each heir of the decedent and  
10 the distributive share of each heir is as set forth in the attached schedule "A."

11          7.       **Fees.** The following fees which the Personal Representative believes to be  
12 reasonable have been agreed upon and, where indicated, have been paid:

13 Personal Representative WILLIAM A. BROWN	Total	WAIVED
14		
15 Attorney	Fees Paid	5,318.50
MARGARET MADISON PHELAN PS	Costs Paid	240.00
16	Fees Due	0.00
	Estimated	
17	Fees to close	2,000.00
18 Accountant	Fees Paid	N/A
None		
19		
Appraiser	Fees Paid	N/A
20 None		

21       The undersigned Personal Representative believes these fees to be reasonable and does  
22 not intend to obtain Court approval of the amount of these fees or to submit an estate  
23 accounting to the Court for approval.

24 ///

25 ///

26

DECLARATION OF COMPLETION  
OF PROBATE WITH WILL - 2

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MARGARET MADISON PHELAN P.S.  
Attorneys at Law  
502 E McLoughlin Blvd  
Vancouver WA 98663-3357  
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1           In addition to performing services in connection with the probate assets, the  
2 Personal Representative and the attorneys for the Personal Representative have performed  
3 services in connection with nonprobate assets.

4           13.     **Discharge of Personal Representative.** All the heirs, devisees and the  
5 legatees of the decedent entitled to notice under RCW 11.68.110 have waived the right to  
6 receive notice of the filing of the Declaration of Completion of Probate and said Waivers  
7 are filed herein and the Personal Representative will be automatically discharged without  
8 further order of the Court upon the filing of this Declaration with Court, and this  
9 Declaration of Completion of Probate shall, at that time, be the equivalent of the entry of  
10 a decree of distribution in accordance with RCW Chapter 11.76 for all legal intents and  
11 purposes.

12   OCT 18          , 2010.

13  
14                     William A Brown  
15                     WILLIAM A. BROWN

16 Presented by:  
17 MARGARET MADISON PHELAN P.S.

18                     Karen L. Webber  
19 By: KAREN L. WEBBER, WSBA #34884  
20 Of Attorneys for Personal Representative  
21  
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DECLARATION OF COMPLETION  
OF PROBATE WITH WILL - 3

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ESTATE OF GEORGE A. BROWN

SCHEDULE A

HEIRS & BENEFICIARIES OF DECEDENT  
GEORGE A. BROWN

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David E. Brown 18130 S Scott Lane Oregon City, OR 97045	Grandson - identified in Will as a child	Legal	1/3 % Remainder Beneficiary

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2010 APR 23 PM 1:55

Sherry W. Parker, Clerk  
Clark County

# Last Will and Testament

of 10 4 00313 - 5

GEORGE A. BROWN

I, **GEORGE A. BROWN**, of 132 NE Shepherd Ave, **STEVENSON, WA**, declare that this is my Will and revoke all prior Wills and Codicils.

## ARTICLE I

### FAMILY

1.1 SPOUSE. I am married to **ESTHER L. BROWN** , and all references to "my spouse" are to **ESTHER L. BROWN**.

1.2 DESCENDANTS. My living children are:

**WILLIAM A. BROWN, OF LEGAL AGE**  
**SHARREN A. [BROWN] JONES, OF LEGAL AGE**  
**DAVID E. BROWN, OF LEGAL AGE**

References to "my children" include any child later born to or adopted by me.

1.3 NOT CONTRACT TO MAKE WILL. My spouse is executing a Will contemporaneously with this Will. It is not our intention, however, to create thereby a binding contract between the two of us. Instead, each of us reserves the full right of revocation, cancellation or amendment, whether exercised before or after the death of the other.

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Page 1

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## ARTICLE 2

### LEGAL REPRESENTATIVES

2.1 PERSONAL REPRESENTATIVE. I name **WILLIAM A. BROWN** as my personal representative. If **WILLIAM A. BROWN** is unable or unwilling to act as my personal representative, I name **SHARREN A. [BROWN] JONES** as my personal representative. If **SHARREN A. [BROWN] JONES** is unable or unwilling to act as my personal representative, I name **DAVID E. BROWN** as my personal representative.

2.2 TRUSTEE. I name **WILLIAM A. BROWN** as trustee of any trust created by this Will. If **WILLIAM A. BROWN** is unable or unwilling to act as trustee, I name **SHARREN A. [BROWN] JONES** as trustee. If **SHARREN A. [BROWN] JONES** is unable or unwilling to act as trustee, I name **DAVID E. BROWN** as trustee.

## ARTICLE 3

### SPECIFIC GIFTS AND SPECIAL DIRECTIONS

3.1 BEQUEST BY SEPARATE WRITING. I may in the future leave a written statement signed by me in my handwriting giving any interest I have in household goods and furnishings, personal vehicles, recreational equipment, clothing, jewelry, personal effects, and other tangible personal property for personal or household use, to individuals named therein. My personal representative shall make distributions according to that statement. All matters pertaining to identification of property or recipients shall be determined by my personal representative and shall be final and binding on all persons interested in my estate.

3.2 TANGIBLE PERSONAL PROPERTY. If my spouse survives me, I give to my spouse part or all of any remaining interest I have in household goods and furnishings, personal vehicles, recreational equipment, clothing, jewelry, personal effects, and other tangible personal property for personal or household use, together with any insurance on this property as my personal representative determines. I give any remaining interest in this property in substantially equal shares to my surviving children to be divided among them as they agree or, if they do not agree, as my personal representative determines. If no child survives me, I give this property in substantially equal shares to my grandchildren who survive me, to be divided among them as they agree or, if they do not agree, as my personal representative determines. However, if my youngest grandchild is under the age of eighteen [18] at my death, my personal representative or my trustee shall have discretion to do the following with any of this property: distribute it directly to one or more of my grandchildren (or to a grandchild's guardian or any suitable person with whom a grandchild resides)

Initials GAB  
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regardless of age of any grandchild or inequality of distribution, keep it for later distribution, sell it and distribute the proceeds, or sell it and add the proceeds to the residue of my estate.

3.3 JOINT WITH RIGHT OF SURVIVORSHIP PROPERTY. I may add the name of my spouse, my child, or one or more of my children to certain accounts or other property for convenience or assistance in management. However, it is my intent that my interest in all such property pass upon my death according to the terms of my Will.

#### ARTICLE 4

#### RESIDUE

4.1 IF MY SPOUSE SURVIVES. If my spouse survives me I give my estate to my trustee, to be held in trust and administered and distributed as follows:

4.1.1 NAME OF TRUST. This trust may be called the **ESTHER L. BROWN SUPPLEMENTAL NEEDS TRUST**.

4.1.2 DISABILITY OF BENEFICIARY. The beneficiary is disabled or incapacitated by long term care needs. As a result of this disability or incapacitation, the beneficiary requires or may require financial assistance to meet the beneficiary's needs.

4.1.3 TRUST PURPOSE. The primary purpose of this trust is to enhance the beneficiary's comfort and personal dignity during the beneficiary's lifetime. This trust is intended to supplement, but not supplant, any benefits available to the beneficiary under any government assistance programs.

#### 4.1.4 DISTRIBUTIONS.

(A) PROHIBITED DISTRIBUTIONS. No distributions shall be made from the trust to meet the beneficiary's needs for basic support, including food, and shelter. In addition, my trustee shall not make any distributions which would adversely affect the beneficiary's eligibility for government assistance, and my trustee shall not reimburse any governmental entity for payments made to or for the benefit of the beneficiary.

(B) SUPPLEMENTAL NEEDS. During the beneficiary's lifetime, my trustee shall have sole discretion to distribute to or for the benefit of the beneficiary those amounts of income or principal which my trustee considers advisable to meet the beneficiary's supplemental needs which are not met by government assistance programs. Supplemental needs may include, but not be limited to, the following: clothing, health insurance premiums, life insurance premiums,

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dental care, unreimbursable medical expenses, for which there are no private or public funds available, supplemental nursing care, home care services not covered by another program, durable medical equipment such as wheelchairs, rehabilitation services, physical therapy, massages, the extra cost of a private room over a shared room, psychological therapy, social support services, private case management, companion care, home purchase, home improvements, repairs and maintenance by third parties, tools to perform home improvements, repairs and maintenance by occupant, installation of burglar alarm or monitoring/response system in home, household goods and other items of personal property of reasonable value, payment for items such as cleaning supplies and paper products, telephone expenses including internet connections or cable, television, cable television hookup and monthly subscription fee, music, entertainment purposes, including reading materials; trips to movies, plays, museums and sporting events; movie passes, audio/video equipment and video rentals; hobby supplies, etc., vacation travel (but not lodging or meals, since they are shelter and meals), recreation, purchase and/or maintenance of a vehicle (in certain circumstances), bus passes, exercise, exercise equipment, personal grooming, subscriptions, flowers, pets and pet care, legal services, spiritual needs, advocacy, education, school tuition, books and supplies, repair of lost or broken items, computers, computer software and accessories, computer services, stamps and writing supplies, and cultural experiences. Expenditures also may be considered for travel, companionship, and expenses in bringing the beneficiary's parents, children or siblings to visit.

(C) CONSIDERATION OF OTHER RESOURCES. Despite any other provision of this instrument, my trustee shall consider any income, support, or property available to the beneficiary from any source, including government assistance programs, before making any discretionary distributions under this trust. My trustee shall further consider the applicable resource and income limitations under any government assistance programs for which the beneficiary may be eligible.

(D) ELIGIBILITY FOR GOVERNMENT ASSISTANCE. My trustee shall take any steps required to qualify the beneficiary for government assistance programs and ensure that the beneficiary's support needs are met through such programs.

4.1.5 TERMINATION AT SPOUSE'S DEATH. At my spouse's death, my trustee shall distribute the remaining trust property in equal shares, one share for each child of mine who is then living and one share by right of representation for the then surviving descendants of each child of mine who is then deceased.

4.2 IF MY SPOUSE DOES NOT SURVIVE. If my spouse does not survive me, I give the residue of my estate in equal shares to my children, one share for each child who survives me and one share by right of representation for the then surviving descendants of each child who does not survive me.

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4.3 CONTINGENT BENEFICIARIES. If neither my spouse nor any of my descendants survive me, I give the residue of my estate as follows:

One-half to those persons surviving me who would be entitled to receive my intestate property as determined by Washington law at the time of my death.

One-half to those persons surviving me who would be entitled to receive my spouse's intestate property as determined by Washington law at the time of my death.

## ARTICLE 5

### TRUST ADMINISTRATION

5.1 NO TRUST BENEFICIARY. Except as otherwise provided in Section 5.2, if at any time there remains no named or described beneficiary of any trust, my trustee shall distribute the remainder of the trust as provided in Section 4.2, as if my spouse and I had died at the termination of the trust.

5.2 NONASSIGNMENT. The interest of any beneficiary in income or principal may not be voluntarily or involuntarily anticipated, alienated, or encumbered and shall not be subject to claims of creditors or others or to legal process. The limitations in this section shall not restrict the exercise of any power of appointment or the right to disclaim. However, no beneficiary shall be entitled, by use of disclaimer, either to accelerate the time when any distribution would otherwise be made to that beneficiary or to cause any trust to terminate and be distributed to that beneficiary outright prior to the trust's normal termination date.

5.3 RULE AGAINST PERPETUITIES. Despite any other provision of this instrument, each trust created by this instrument, if not previously terminated under other provisions of this instrument, shall terminate and be distributed on the last day immediately prior to the running of the rule against perpetuities as set forth in RCW 11.98.130.

5.4 UNDISTRIBUTED INCOME. Any trust income not distributed shall be added to and become part of the principal of the trust. Income accrued or undistributed at the termination of a beneficiary's interest in a trust shall be added to and become part of the principal of that trust, and any rights of that beneficiary to that income shall terminate.

5.5 CONSIDERATION OF OTHER INCOME OR PROPERTY. In making discretionary distributions, my trustee may, but is not required to, consider any other income, support, or property available to the beneficiary.

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5.6 CONSOLIDATION OF TRUSTS. My trustee may consolidate any trust created by this instrument with any other trust if the trusts have the same beneficiaries and are substantially identical.

5.7 LIFE INSURANCE PROCEEDS. My trustee shall collect the proceeds of any life insurance policy for which my trustee is the beneficiary, and shall hold those proceeds under the terms of this instrument. Payment to my trustee shall be a full discharge of the insurance company on account of the policy, and the insurance company shall not be responsible for the proper discharge of the trust. My trustee has no duty to begin collection proceedings or litigation to enforce payment of any life insurance policies until reasonable provision has been made to indemnify my trustee for all anticipated expenses and liabilities. Any proceeds of life insurance, retirement benefits, annuity payments or other benefits which are made payable to the Trustee named in this Will shall be allocated to the specific sub-trust indicated in the beneficiary designation, or if none, as if the proceeds or benefits had been a part of my estate at the time of my death.

5.8 DIVIDING TRUSTS TO SEGREGATE PROPERTY EXEMPT FROM GENERATION SKIPPING TRANSFER TAX.

5.8.1 DISCRETION TO DIVIDE TRUSTS. If any trust established under this instrument may be subject to the federal generation-skipping transfer tax, my trustee shall have absolute discretion to divide that trust into two separate trusts, so that one trust will have an inclusion ratio of zero (and be a GST "exempt" trust) and one trust will have an inclusion ratio of one (and be a GST "nonexempt" trust). The trust estate shall be divided based upon the fair market value of the trust assets at the time of the division. The two separate trusts may be created upon initial funding or at a later date, and shall have identical terms. For purposes of this paragraph, "inclusion ratio" shall be defined as provided in Section 2642(a) of the Internal Revenue Code.

5.8.2 SOURCE OF PAYMENTS TO TRUST BENEFICIARIES. If my trustee divides any trust into a GST "exempt" trust and a GST "nonexempt" trust, I recommend that, to the extent reasonably possible, no discretionary payments of principal be made from the GST "exempt" trust until the principal of the GST "nonexempt" trust has been consumed. However, my trustee shall have the sole discretion to determine the source of any payments.

5.9 LIMITATION ON TRUSTEE'S DISCRETION. Despite any other provision of this instrument, my trustee shall have no power or authority to exercise my trustee's discretion to distribute income or principal to any beneficiary if such distribution would have the effect of satisfying or discharging any support or other legal obligation of my trustee to that beneficiary.

5.10 GOVERNMENT ASSISTANCE TO TRUST BENEFICIARY. Despite any other provision of this instrument, my trustee shall not make any payment to or for the benefit of a trust

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beneficiary if payment would otherwise be made under a program of government assistance, and my trustee shall not reimburse any governmental entity for payments made to or for the benefit of a trust beneficiary.

5.11 WAIVER OF CAUSE OF ACTION AGAINST BENEFICIARY TRUSTEE. I recognize the inherent conflict of interest that exists between my trustee and the beneficiaries of my trust bequest. Thus, I specifically waive any cause of action against any beneficiary trustee from this inherent conflict of interest that might arise under Washington law, including, but not limited to, the provisions of RCW 11.98.200 through 11.98.240 in the event that I have a trustee who is also a beneficiary.

5.12 TERMINATING SMALL TRUSTS. If my trustee determines at any time that the market value of a trust is so small as compared to the costs of administration that continuing the trust will defeat or substantially impair its purposes, my trustee may terminate that trust and distribute the remainder of the trust to the beneficiaries in a manner which my trustee believes accomplishes as nearly as possible the purposes of the trust.

5.13 CONSTRUCTION. As between beneficiaries and remaindermen, the primary purpose of my will is to provide for the income beneficiary or beneficiaries and the rights and interests of the remaindermen are subordinate to that purpose. These provisions shall be construed liberally in the interests of and for the benefits of the income beneficiary or beneficiaries.

## ARTICLE 6

### TRUSTEE POWERS

As to each trust created by this instrument, my trustee shall have all powers conferred on a trustee by Washington law as now existing or later amended. In addition, my trustee shall have the power to:

6.1 MANAGE AND DISPOSE OF ASSETS. Manage, maintain, improve, lease, grant options on, encumber, sell, exchange, or otherwise dispose of part or all of the trust estate in any manner and on any terms my trustee considers beneficial to the trust estate.

6.2 RETAIN ASSETS. Retain any property and continue to operate any business for so long as my trustee considers retention of probable benefit to the trust estate and the trust beneficiaries.

6.3 MAKE INVESTMENTS. Invest and reinvest the trust estate in common or preferred stocks, bonds, mutual funds, common trust funds, secured and unsecured obligations, mortgages, and

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other property, real or personal, which my trustee considers advisable and in the best interest of the trust estate, whether or not authorized by law for the investment of trust funds.

6.4 RECEIVE COMPENSATION. Receive reasonable compensation for my trustee's own services and reimbursement for expenses incurred in administering the trust estate.

6.5 ADVANCE FUNDS OR BORROW. Advance my trustee's own funds to the trust for any trust purposes at prevailing rates of interest (with any advance to be a lien on the trust estate) and borrow money for those purposes and upon those terms and conditions which my trustee considers to be in the best interest of the trust estate.

6.6 PURCHASE ASSETS AND MAKE LOANS. Purchase assets at their fair market value (as determined by my trustee) from my probate estate or my spouse's probate or trust estate, and make secured or unsecured loans to my probate estate or my spouse's probate or trust estate, for any reason my trustee believes will benefit my probate estate or my spouse's probate or trust estate.

6.7 CHOOSE MANNER OF MAKING DISTRIBUTION. Make any distribution in any of the following ways to a beneficiary who is a minor, incompetent, under legal disability, or considered by my trustee to be unable to handle property if paid to the beneficiary directly, without liability to my trustee:

6.7.1 Directly to the beneficiary.

6.7.2 To the beneficiary's guardian or conservator, to a custodian under the Washington Uniform Transfers to Minors Act, or to any other fiduciary.

6.7.3 To any person or organization furnishing health care, education, support, or maintenance.

6.7.4 To a trustee of a trust established pursuant to the article below entitled DISCRETION TO ESTABLISH TRUST.

6.8 COMBINE MANAGEMENT OF SEPARATE TRUSTS. Hold the trust estate as an undivided whole without separation into any separate trusts for as long as my trustee considers suitable and allot undivided interests in any asset to any separate trusts, but no undivided holding shall defer vesting or distribution under the trusts.

6.9 ENVIRONMENTAL PROTECTION PROVISIONS. To protect real property which may be held as trust property:

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6.9.1 INSPECT PROPERTY. Trustee may, in trustee's discretion, periodically inspect, review and monitor, or require the inspection, review and monitoring of any and all property held in this trust to determine compliance with any law, rule or regulation affecting such property, with all expenses of such inspection, review and monitoring to be paid from the income or principal of this trust.

6.9.2 PROTECT ASSETS. Trustee shall have the power, in order to protect the assets held in this trust, to take any and all action it shall reasonably deem necessary, in trustee's sole discretion, to prevent, abate, "clean-up," or otherwise respond to any actual or threatened violation of any federal, state or local law, rule or ordinance affecting any property held in this trust related to the generation, use treatment, storage, disposal, release, discharge, or contamination by any materials or substances that are prohibited or regulated by federal, state or local law or that are known to pose a hazard to the environment or human health. Such actions may be taken upon the initiation of enforcement action by a federal, state or local agency. Trustee shall obtain an estimate of the cost of such response to such actual or threatened violation or contamination and shall notify the vested beneficiaries of this trust of the estimated costs of such response. Such beneficiaries shall have the right to pay for such response costs or to authorize payment of such costs by trustee from trust assets. If the beneficiaries of this trust for any reason fail to pay for or authorize payment of such costs from this trust, trustee shall nonetheless be entitled to use trust assets to pay such costs or, in its sole discretion, to resign in accordance with the provisions herein regarding the resignation of a trustee.

6.9.3 CERCLA. Trustee shall have the power to disclaim, in whole or in part, any power which, in its sole discretion, will or may cause trustee to be considered an "owner" or "operator" of property held in this trust under the provisions of the Federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended from time to time, or which shall otherwise cause trustee to incur liability under CERCLA or any other federal, state or local law, rule or regulation. The power to disclaim, as contained in this section shall apply to any power whether actually set forth in this instrument, incorporated by reference herein, or granted or implied by any statute or rule of law.

6.10 DO OTHER ACTS. Except as otherwise provided in this instrument, do all acts that might legally be done by an individual in absolute ownership and control of property and which in my trustee's judgment are necessary or desirable for the proper and advantageous management of the trust estate.

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## ARTICLE 7

### TRUSTEE

7.1 RESIGNATION OF TRUSTEE. My trustee may resign the trusteeship at any time. Any resignation shall be in writing and shall become effective only upon written acceptance of the trust by a successor trustee.

7.2 DESIGNATION OF SUCCESSOR TRUSTEE. If a trust has no trustee and no successor is named in this instrument, any court having jurisdiction may appoint a successor trustee at the request of any person interested in the trust. Beneficiaries not of legal age or capacity shall be represented by their guardians, if any, in designating a successor trustee under this section. If the current income beneficiaries fail to appoint a successor, any court having jurisdiction may do so at the request of any person interested in the trust.

7.3 TRANSFER TO SUCCESSOR TRUSTEE. Upon acceptance, a successor trustee shall succeed to all rights, powers, and duties of the trustee. All right, title, and interest in the trust property shall vest in the successor. The prior trustee shall, without warranty, transfer the existing trust property to the successor trustee. A successor trustee shall not have any duty to examine the records or actions of any former trustee and shall not be liable for the consequences of any act or failure to act of any former trustee.

7.4 NO BOND REQUIRED. No bond or other undertaking shall be required of any individual trustee of any trust.

## ARTICLE 8

### PERSONAL REPRESENTATIVE

8.1 NO BOND REQUIRED. No bond shall be required of any individual named in this Will as my personal representative and custodian, successor personal representative, substitute personal representative or custodian.

8.2 POWERS. I give my personal representative all powers conferred on a personal representative by Washington law as now existing or later amended, whether or not those powers are exercised in Washington. I understand that my estate will be settled without intervention of any Court, except as may be required under the laws of the state where probated and that my personal representative shall have full power to sell, convey and encumber, without notice or confirmation, any assets of my estate, real or personal, at such prices and terms as may seem just to my personal representative; to mortgage or pledge any estate property; to continue any or all of my business

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operations; to invest and reinvest any assets of my estate; to advance funds and borrow money, secured or unsecured, from any source; and to select any part of the estate in satisfaction of any partition or distribution thereunder, in kind, in money or both.

8.3 TRANSFER TO CUSTODIAN. If any interest passes under this Will to a person under the age of twenty-one [21], I authorize my personal representative to transfer that interest to a custodian to be selected by my personal representative for that person under the Washington Uniform Transfers to Minors Act.

## ARTICLE 9

### GENERAL ADMINISTRATIVE PROVISIONS

9.1 SURVIVORSHIP. I shall be presumed to survive my spouse if the order of our deaths cannot be proven or if I survive my spouse for any period, no matter how short. In addition, any beneficiary under my Will (including my spouse) shall be considered to survive me only if the beneficiary is living on the fortieth day after the date of my death.

9.2 DESCENDANTS. "Descendants" means all naturally born or legally adopted descendants of the person indicated.

9.3 DEATH TAXES. I direct my personal representative to pay out of the residue of my probate estate, without abatement or apportionment, all estate, inheritance, and other death taxes (including interest and penalties) payable by reason of my death on property passing under this Will or otherwise. My personal representative shall have no duty to seek accounting or reimbursement from the recipients of nonprobate property for the payment of these taxes unless my probate estate is insufficient to pay them. If my residue is insufficient to pay all such death taxes, the excess shall be abated and apportioned according to Washington law.

9.4 DEBTS AND EXPENSES. I direct my personal representative to pay out of the residue of my probate estate, without abatement or apportionment, all my debts and my funeral and estate and administration expenses. My personal representative shall have no duty to seek accounting or reimbursement from the recipients of nonprobate property for the payment of my debts and expenses unless my probate estate is insufficient to pay my debts and expenses. If my residue is insufficient to pay all such debts and expenses, the excess shall be abated and apportioned according to Washington law.

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## 9.5 ELECTIONS, DECISIONS, AND DISTRIBUTIONS.

9.5.1 GENERAL AUTHORITY. I authorize my personal representative and my trustee to make any election or decision available to my estate or trust under federal or state tax laws, to make pro rata or non-pro rata distributions without regard to any differences in tax basis of assets distributed, and to make distributions in cash, in specific property, in undivided interests in property, or partly in cash and partly in property.

9.5.2 AUTHORITY TO ALLOCATE GENERATION SKIPPING TRANSFER TAX EXEMPTION. My personal representative shall have absolute discretion to allocate all, some, or none of my available GST exemption under Section 2631(a) of the Internal Revenue Code to any property as to which I am the transferor, including property transferred by me during life as to which I did not make an allocation prior to my death.

9.5.3 GOOD FAITH DECISIONS BINDING. The good faith decisions of my personal representative or trustee in the exercise of these powers shall be conclusive and binding on all parties, and my personal representative or trustee need not make any adjustments among beneficiaries because of any election, decision, or distribution.

9.6 DISCRETION TO ESTABLISH TRUST. If any beneficiary of this will is disabled or incapacitated as defined by the Social Security Administration, my personal representative shall have authority to establish a trust for the benefit of that beneficiary and distribute the share for my beneficiary into the trust. The trust shall be a discretionary trust for the beneficiary which shall provide for the beneficiary's special needs and not be construed as a support trust. My personal representative shall designate the trustee, who may be my personal representative or such other individual, individuals or corporate trustee, as my personal representative determines. The purpose of the trust shall be limited to providing those supplemental needs which my trustee determines to be advisable to meet my beneficiary's special needs which are not being met by a government assistance program. No disbursement shall be made that would permanently jeopardize eligibility for, or limit the type of assistance available from, a government assistance program. The intent is to provide extra and supplemental items, services and benefits over and above the items, services and benefits which the beneficiary may be entitled to receive from any governmental or private programs as a result of the beneficiary's special needs. All decisions regarding distributions shall be made in the sole discretion of the trustee.

9.7 CHANGE IN CORPORATE FIDUCIARY. If any corporate fiduciary is merged or voluntarily liquidated into or consolidated with another entity having the required fiduciary powers, the successor shall have all powers granted to the original corporate fiduciary.

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9.8 GOVERNING LAW. The validity and construction of my Will shall be determined under Washington law in effect on the date my Will is signed.

9.9 CAPTIONS. The captions are inserted for convenience only. They are not a part of this instrument and do not limit the scope of the section to which each refers.

9.10 GENDER OR PLURAL. All references herein to the singular number and neuter gender shall be deemed to include the plural number and masculine or feminine gender, and vice versa when the context so requires.

9.11 WITNESS. I request that the attesting witnesses to my Will make an affidavit before a Notary Public stating such facts as they would be required to testify to in court to prove my Will and have it admitted to probate.

I have signed this Will on SEP 08, 2009.

George A Brown  
GEORGE A. BROWN

On the date of the foregoing Will of **GEORGE A. BROWN**, I saw **GEORGE A. BROWN** sign it. Upon **GEORGE A. BROWN'S** declaration that it was **GEORGE A. BROWN'S** Will, I signed my name below as a witness.

Alex C. Speed  
PRINTED NAME: Alex C Speed

502 E McLoughlin Blvd  
Vancouver WA 98663-3357

Nicole McCowan  
PRINTED NAME: Nicole McCowan

502 E McLoughlin Blvd  
Vancouver WA 98663-3357

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