



200502230066

Skagit County Auditor

2/23/2005 Page

1 of

10 2:41PM

After recording return document to:

YOUNGQUIST & BETZ
904 South Third
Mount Vernon, WA 98273

DOCUMENT TITLE: Lack of Probate Affidavit

REFERENCE NUMBER OF RELATED DOCUMENT:

GRANTOR(S): Estate of Dale E. Borgen

ADDITIONAL GRANTORS ON PAGE OF DOCUMENT.

GRANTEE(S): The Public

ADDITIONAL GRANTEES ON PAGE OF DOCUMENT.

ABBREVIATED LEGAL DESCRIPTION: Lot 2, Short Plat No. 91-051

**ADDITIONAL LEGAL DESCRIPTION ON PAGE(S) 1
OF DOCUMENT.**

ASSESSOR'S TAX/PARCEL NUMBER(S): 350329-0-003-0100/P99581

LACK OF PROBATE AFFIDAVIT

State of Washington }
 } ss
 County of Skagit }

CHRIS EDWARD BORGEN, BARBARA JOYCE SHORT and JEAN BORGEN, being first duly sworn on oath depose and say:

FIRST, this affidavit is for the purpose of supplying information pertaining to the estate of DALE E. BORGEN, deceased, under the provisions of RCW 11.62 and it is intended that the statements set forth herein (and hereto attached, if applicable), shall be considered representations of fact which may be relied upon by all persons dealing with the property described herein, none of which is real property;

SECOND, the following list comprises all of the claiming successors who have survived the decedent, and each of who is a "successor" as defined under RCW 11.62.005 :

[x] as a beneficiary under the terms and provisions of the decedent's Last Will and Testament dated September 11, 2002, a certified copy which was filed for record in the offices of the Lake County Clerk on October 29, 2004 under Lake County Clerk's File No. 2004-CP-1230, a copy of which is attached hereto, and by this reference made a part hereof.
 [] by virtue of the laws of intestate succession contained in RCW Title 11.
 [] as a surviving spouse of the decedent as to said surviving spouse's undivided one-half interest in the community property of said spouse and the decedent.
 [] other

NAME	AGE	RELATIONSHIP
Chris Edward Borgen	Legal	Son
Barbara Joyce Short	Legal	Daughter
Jean Borgen	Legal	Spouse

10898 Wilson Lane
 Mount Vernon, WA 98273
 Barbara Joyce Short
 12409 36th Avenue S.E.
 Everett, WA 98208
 Jean Borgen
 1019 Forest Breeze Path
 Leesburg, FL 34748

THIRD, the decedent was a resident of the State of Florida on the date of his death;

FOURTH, the value of the decedent's entire estate in the State of Washington, not including any surviving spouse's community property interest in any assets which are subject to probate in the decedent's estate, less liens and encumbrances, does not exceed \$200,000.00;

FIFTH, the decedent died on September 15, 2004, and forty days have elapsed since the date of the decedent's death;

SIXTH, no application or petition for the appointment of a personal representative is pending or has been granted in the State of Washington; the decedent's estate in Florida, which does not exceed the sum of \$400,000.00, and which passes, by the decedent's Last Will and Testament, to Jean Borgen, his wife;

SEVENTH, all debts of the decedent including funeral and burial expenses have been paid or provided for;

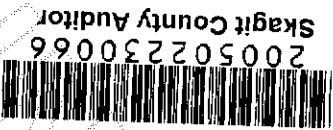
EIGHTH, the real property of the decedent, the only asset decedent owned in the State of Washington, which is claimed pursuant to the Last Will and Testament of the decedent, by Chris Edward Borgen and Barbara Joyce Short, his children, is described as follows:

Real property located at 10888 Wilson Lane, Mount Vernon, Skagit County, Washington 98273, as described on Exhibit "A" attached hereto and by this reference made a part hereof as though full set forth.

NINTH,
[x] other than the above named successor(s), there are no other successors of the decedent, and no notice is required to be given under RCW 11.62.010(2)(h);
[] the above-named successor(s) has/have given written notice, either by personal service or by mail, identifying his/her claim, and describing the property claimed, to all other successors of the decedent, and that at least 10 days have elapsed since the service or mailing of said notice;

TENTH,

Chris Edward Borgen and Barbara J. Short, children of the decedent, are personally entitled to delivery of the real property set forth in Paragraph EIGHTH above, and by their signatures affixed below, all the heirs of the decedent agree to such disposition.



Dated this 7th day of February, 2005.

CHRIS EDWARD BORGEN

SUBSCRIBED AND SWORN to before me this 7th day of February, 2005.

Kathy S. McDonald
Notary Public in and for the State of Washington
residing at Anacortes, WA

Barbara Joyce Short
BARBARA JOYCE SHORT

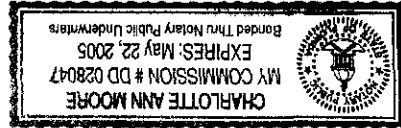
SUBSCRIBED AND SWORN to before me this 7th day of February, 2005.

Kathy S. McDonald
Notary Public in and for the State of Washington
residing at Anacortes, WA

Jean Borgen
JEAN BORGEN

SUBSCRIBED AND SWORN to before me this 16th day of Feb, 2005.

Charles Ann Moore
Notary Public in and for the State of Florida,
residing at 32401 County Road 300d,
Seabury, FL 34748



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EXHIBIT "A"

Lot 2 of Short Plat No. 91-051 as approved September 9, 1991, and recorded September 11, 1991, in Volume 10 of Short Plats, page 8, under Auditor's File No. 9109110021, records of Skagit County, Washington; being a portion of the SW quarter of Section 29, Township 35 North, Range 3 East of the Williamette Meridian.



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LAST WILL AND TESTAMENT

OF

DALE E. BORGEN

2004-CP-1230

I, DALE E. BORGEN, of Leesburg, Lake County, Florida, being of sound mind and memory, do make this my Last Will and Testament, hereby revoking and annulling all other Wills, Codicils or testamentary writings heretofore made by me.

ARTICLE I.

I wish to be buried with full military honors at Tahoma National Cemetery in Kent,

Washington. I direct my Personal Representative to pay any funeral expenses, debts enforceable against my estate, costs of administration, including any ancillary administration, costs of safeguarding and delivering devises, and other proper charges against my estate. I do not, by this directive, waive any exemption provided by Florida law regarding homestead real property or exempt personal property.

ARTICLE II.

I may make and sign a written list of tangible personal property indicating the persons to whom such property shall be bequeathed. From time to time I may alter or replace the list and it is my intention that the list, as it may exist at the time of my death, shall control the disposition of the property described therein. If, however, the list is not found within thirty (30) days after my death, it shall be presumed for all purposes that it does not exist, regardless of whether it is later found.

Any automobile, personal effects, household goods, furnishings, clothing, jewelry,

- Page 1 of The Dale E. Borgen Will -

CLERK OF CIRCUIT COURT
LAKE COUNTY, FLORIDA
JAN 29 PM 2:17



Skagit County Auditor

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collectibles or objects of art that are not included on the aforesaid list, or all of them if the list cannot be found, shall be added to my residuary devise under Article IV, below. Any property that may be distributed to a minor pursuant to this Article or any signed separate list may be distributed by my Personal Representative to the natural or legal guardian of the minor, or to any other suitable adult relative or friend, as custodian for the minor.

ARTICLE III.

I give and devise my real property located at 10888 Wilson Lane, Mount Vernon, Skagit County, Washington, particularly described as Lot 2 of Short Plat No 91-051 as approved September 9, 1991 and recorded September 11, 1991 in volume 10 of Short Plats, page 8, under Auditor's File No. 9109110021, records of Skagit County, Washington, to my children, CHRIS EDWARD BORGEN and BARBARA JOYCE SHORT, as equal tenants in common, per stirpes; provided that if said property shall be sold prior to my death I leave my said children a pecuniary sum equal to the net proceeds thereof, in equal shares, per stirpes.

ARTICLE IV

I give and devise to my wife, all the rest, residue and remainder of my property, whether real, personal, or mixed, wherever situated, of which I may die seized or possessed, or to which I may be or become in any way entitled, or in which I have any interest, if she survives me. If my said wife should predecease me, I devise all of such property to my children, in equal shares, provided that if either of my children should also predecease me, the share that he or she would have received shall instead be given to his or her lineal descendants who survive me, per stirpes, or if there should be no such descendant of my deceased child, then to my lineal descendants who survive me, per stirpes. A child in gestation who is later born alive shall be



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considered living for the purposes of this Will, provided that his or her right to income shall

accrue from the date of birth.

I do not intend, by this instrument, to change the designated beneficiary of any individual retirement account, other retirement fund, annuity, life insurance policy or trust account, and I confirm those beneficiary designations as they exist at my death.

ARTICLE IV.

I hereby nominate and appoint JEAN N. BORGEN as my Personal Representative. If

she should be or become unable or unwilling to serve, I nominate my son, CHRIS EDWARD

BORGEN to serve as Personal Representative in her place and stead. No Personal

Representative named herein shall be required to give any bond or other security for the faithful

performance of her duties. I have served in the Armed Forces of the United States and

therefore request my Personal representative to make inquiry of the Department Of Veterans

Affairs, the Social Security Administration and any other appropriate agency as to any benefits

that may be available to my spouse or descendants

ARTICLE VI.

My Personal Representative may (without order of court) exercise any or all of the

powers and authority granted by Florida Statutes. Without limiting the foregoing, I hereby

grant my Personal Representative, and any successors, full right and power to sell, mortgage

or lease any property of my estate, whether real or personal, without the authorization or

confirmation of any court, whether for cash, credit, or part cash and part credit, with or without

security for any unpaid balance.

ARTICLE VI.

- Page 3 of The Dale E. Borgen Will -



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In the event that any beneficiary and I should die simultaneously, or under circumstances

which make it uncertain which of us died first, for the purpose of this Will, it shall be presumed

that I shall have survived such beneficiary.

ARTICLE VIII.

All payments of income or principal authorized hereunder may be made by expending

the sum for the beneficiary's benefit, and, in the case of a beneficiary who is a minor or under

other legal disability, may be made directly to the beneficiary, despite his or her disability, or

to his or her parent, custodian or legal guardian, in the discretion of my Personal

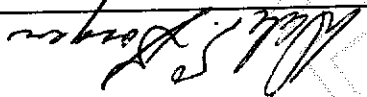
Representative.

IN WITNESS WHEREOF, I have hereunto set my hand to this, my Last Will and

Testament, at the City of Lady Lake, County of Lake and State of Florida, this 11 day of

September, 2002.

DALE E. BORGEN, TESTATOR

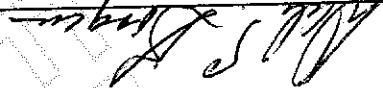


STATE OF FLORIDA
COUNTY OF LAKE

I, DALE E. BORGEN, declare to the officer taking my acknowledgment of this

instrument, and to the subscribing witnesses, that I signed this instrument as my will.

DALE E. BORGEN, TESTATOR



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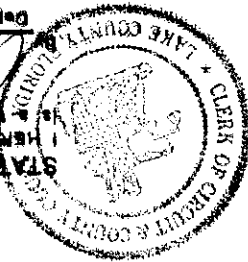
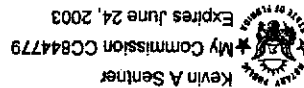


We, KAREN D. LEVENDIS and MICHELLE BARKER, have been sworn by the officer signing below, and declare to that officer on our oaths that the Testator declared the instrument to be the Testator's will and signed it in our presence and that we each signed the instrument as a witness in the presence of the Testator and of each other.

Acknowledged and subscribed before me by the Testator, DALE E. BORGAN, who is personally known to me or who produced a Florida driver's license as identification, and sworn to and subscribed before me by the witnesses, KAREN D. LEVENDIS, who is personally known to me, and MICHELLE BARKER, who is personally known to me, and subscribed by me in the presence of the Testator and the subscribing witnesses, all on the 11th day of September, 2002.

[SEAL]

KEVIN A. SENTNER,
NOTARY PUBLIC, STATE OF FLORIDA



STATE OF FLORIDA, COUNTY OF LAKE
I HEREBY CERTIFY, that the above and foregoing
is a true copy of the original filed in this office
JAMES C. WATKINS, Clerk Circuit Court
Date: 10/29/04
Deputy Clerk

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