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Skagit County Auditor

5/23/2005 Page

1 of

9 3:02PM

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 Neva Mae Malden

Jackson, Marilyn J & Malden, Marshall R,
ADDITIONAL GRANTORS ON PAGE OF DOCUMENT.

GRANTEE(S): The Public

ADDITIONAL GRANTEES ON PAGE OF DOCUMENT.

ABBREVIATED LEGAL DESCRIPTION: Ptn. of E1/2 of Lots 9 & 10, &
S 14 ft. of Lot 11, Block U, Town of LaConner; &
N 10 ft. of E 1/2 of Lot 11 and S 5 ft. of E 1/2 of Lot 12,
all in Block U, Town of LaConner

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

ASSESSOR'S TAX/PARCEL NUMBER(S): P74095

LACK OF PROBATE AFFIDAVIT

State of Washington }
 }:ss
County of Skagit }

MARILYN J. JACKSON and **MARSHALL R. MALDEN**, being first duly sworn on oath depose and say:

FIRST, this affidavit is for the purpose of supplying information pertaining to the **ESTATE OF NEVA MAE MALDEN**, 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 :

- as a beneficiary under the terms and provisions of the decedent's Last Will and Testament dated October 9, 1985, attached hereto.
- 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 _____

<u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
Marilyn J. Jackson 2345 S.E. 32 nd Avenue Portland, OR 97202	Legal	Daughter
Marshall R. Malden 344 Helman Street Ashland, OR 97520	Legal	Son

THIRD, the decedent was a resident of the State of Oregon on the date of her death;

FOURTH, the value of the decedent's entire estate in the State of Washington, less liens and encumbrances, does not exceed \$450,000.00;



FIFTH, the decedent died on April 6, 2005, 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;

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

EIGHTH, the personal property of the decedent, all of which is claimed by the above listed successors, and all of which is subject to probate is described as follows:

- 1) Real property located at 510 2nd Street, LaConner, Skagit County, Washington, and more particularly described on Exhibit "A," attached hereto and made a part hereof as though fully set forth;
- 2) Washington Federal Savings & Loan, Certificates of Deposit;
- 3) Washington Federal Savings & Loan, Checking and Savings Account; and
- 4) Northwest Natural Gas, Portland, Oregon, 300 shares of stock.

NINTH,

other than the above named successors, 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 has given written notice, either by personal service or by mail, identifying 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, the above named successor(s)

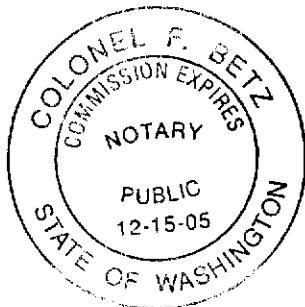
is personally entitled to full payment or delivery of the property claimed;


is/are entitled to full payment or delivery thereof on behalf of and with the written authority of all other successors who have an interest therein.

Dated this 12th day of May, 2005.


MARILYN J. JACKSON

SUBSCRIBED AND SWORN to before me this 12th day of MAY, 2005.




Notary Public in and for the State of Washington,
residing at MOUNT VERNON



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Marshall R. Malden
MARSHALL R. MALDEN

SUBSCRIBED AND SWORN to before me this 20th day of May,
2005.

Linda M French
Notary Public in and for the State of Oregon,
residing at 183 Main St Ashland OR



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EXHIBIT "A"

The East ½ of Lots 9 and 10, and the East ½ of the South 14 feet of Lot 11, Block "U", "TOWN OF LACONNER", as per plat recorded in Volume 2 of plats, page 49, records of Skagit County, Washington.

and

The North 10 feet of the East ½ of Lot 11, and the South 5 feet of the East ½ of Lot 12, all in Block U, Town of LaConner, according to the plat thereof on file in Volume 2 of Plats, page 49, records of Skagit County, Washington.



LAST WILL AND TESTAMENT

OF

NEVA MAE MALDEN

KNOW ALL MEN BY THESE PRESENTS, That I, NEVA MAE MALDEN, of LaConner, Skagit County, Washington, being of sound and disposing mind and memory, and not acting under duress, menace, fraud or the undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament.

I. FAMILY IDENTIFICATION

I hereby declare that the members of my immediate family are my husband, ALBERT MALDEN, and our children, MARSHALL RICHARDS MALDEN, of Phoenix, Arizona, born March 3, 1941, and MARILYN JUNE JACKSON, of Portland, Oregon, born February 27, 1943.

II. DEBTS

I hereby direct and order that all just debts for which proper claims are filed against my estate, and the expenses of my last illness and funeral, be paid by my personal representative as soon after my death as is practicable; provided, however, that this direction shall not authorize any creditor to require payment of any debt prior



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to its normal maturity in due course.

III. PERSONAL REPRESENTATIVE

I hereby nominate and appoint my husband, ALBERT MALDEN, as my personal representative of this, my Last Will and Testament, to act without bond. In the event he is either unable or unwilling to serve, I nominate and appoint my daughter, MARILYN JUNE JACKSON, to serve, also without bond, and in the event she is either unable or unwilling to serve, I nominate and appoint MARSHALL RICHARDS MALDEN to serve, also without bond.

IV. NON-INTERVENTION OF COURT

I further direct that my estate be settled without the intervention of any court, except to the extent required by law, and that my personal representative settle my estate in such manner as shall seem best and most convenient to her or to him, and I hereby empower my personal representative to mortgage, lease, sell, exchange and convey the personal and real property of my estate without an order of court for that purpose and without notice, approval or confirmation and in all other respects to administer and settle my estate without the intervention of court.

V. RESIDUARY BEQUEST

I hereby give, devise and bequeath unto my husband, ALBERT MALDEN, the entirety of my estate, whether

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real or personal, and wheresoever situated. In the event that my husband shall predecease me, or in the event that both my husband and I shall die as a result of a common accident, illness, or disaster, then I give, devise and bequeath the entirety of my estate to my children, MARSHALL RICHARDS MALDEN and MARILYN JUNE JACKSON, in equal shares, by right of representation.

VI. MISCELLANEOUS

Unless some other meaning and intent is apparent from the context herein, the plurals shall include the singular and vice versa, and masculine, feminine and neuter words shall be used interchangeably.

VIII. REVOCATION OF PRIOR WILLS

I hereby revoke any former Wills and/or Codicils by me made and declare this my Last Will and Testament.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of October, 1985.

Neva Mae Malden
NEVA MAE MALDEN

The foregoing instrument, consisting of three type-written pages, of which this is the last, was on the date hereof signed and published by NEVA MAE MALDEN, who at said time appeared to be of sound and disposing mind and memory, and was by her declared to be her Last Will and Testament, in the presence of us, who, at her request and in her presence and in the presence of each other, have hereunto set our hands as witnesses thereto this 9th day of October, 1985.

Bruce J. Miller
WITNESS

Shirley Steinhilber
WITNESS

LaCourse
Address

LaCourse
Address



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UNOFFICIAL DOCUMENT

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