



200611080100
Skagit County Auditor

11/8/2006 Page 1 of 11 11:50AM

LACK OF PROBATE AFFIDAVIT

Order Number _____

State of Washington

County of Skagit

3745-000-071-0008 R53816
TRACT 71 " PLAT OF MOUNT BAKER
VIEW ADD "

Dayle Dominique Hope Lunz being first duly sworn, deposes and says:

FIRST, that this Affidavit is for the purpose of supplying information pertaining to the Estate of Kenneth Eugene Brown deceased, 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 following described real property:
As described in the attached Exhibit A

SECOND, that the Decedent died on the 23rd day of June, 2004 in the City of Bellingham, County of Whatcom, State of Washington

THIRD, that said Decedent executed no Wills, agreements to convey, conveyances, mortgages, deeds of trust, lien agreements or other instruments for the purpose of conveying or encumbering said land, any portion thereof, or any interest therein, other than those instruments which have been duly recorded in the office of the Auditor's of said county, except as follows: Last Will dated 04/23/98 ; copy attached as Exhibit B

FOURTH, that the Estate of said Decedent at the date of death was of the approximate value of \$ 144,900.00 including real property above described, which had an approximate market value of \$ 144,900.00

FIFTH, that all obligations of the Estate owing at the date of death of said Decedent have been paid in full, and all expenses of last sickness and for funeral services have been paid.

SIXTH, that the decedent did not receive any medical assistance paid for or provided by the Washington State Department of Social and Health Services (DSHS) including nursing facility services, home or community-based services, hospital, prescription drugs or any other services

SEVENTH, that the following lists comprise all of the heirs at law whom said Decedent was survived. (Show age of each heir opposite their name. If any heirs under 18, this Affidavit is not applicable.): Dayle Lunz - 31

David Brown - 52 Steven Brown - 48

Dayle D.H. Lunz
Signature of Affiant

DATED this 8th day of November, 2006.

State of Washington
County of Skagit) SS:

Dayle D.H. Lunz
his/her/their free and voluntary act for the

I certify that I know or have satisfactory evidence that _____ is the person(s) who appeared before me, and said person(s) acknowledged that _____ signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: _____

Notary Public in and for the State of Washington
Residing at: Sedro - Woolley
My appointment expires: 4-3-2009

Exhibit A

Tract 71, "THE PLAT OF MOUNT BAKER VIEW ADDITION", according to the plat thereof, recorded in volume 7 of Plats, page 67 and 68, records of Skagit County, Washington.

Assessor's Property Tax Parcel/Account Number: 3745-000-071-0008 R53816



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Skagit County Auditor

Will

I, **KENNETH E. BROWN**, now domiciled in Skagit County, Washington, born on September 24, 1927, and of sound body and mind, and not acting under duress, menace, fraud, or undue influence, do hereby make, publish and declare this to be my **Last Will and Testament** and I hereby revoke all prior Wills and Codicils.

ARTICLE I

Identification of Family

I hereby declare that I am currently a single man. I am the father of two sons and three step-daughters whose names and dates of birth are listed as follows:

DAVID JAMES BROWN,	born September 1, 1954
STEVEN MARK BROWN,	born November 22, 1958
DEBBIE TORREY,	born June 4, 1965
JENNIFER WILLIS,	born May 24, 1972
DAYLE FUTRELLE,	born November 26, 1974

Except as provided below, I make no provision in this Will for any of my children who survive me, whether named herein or hereafter born or adopted, nor for the descendants of any child who does not survive me.

COPY

LAST WILL AND TESTAMENT OF
KENNETH E. BROWN

Page 1 of 7 Pages

Kenneth E. Brown



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ARTICLE VII

Nomination of Personal Representative

A. I nominate my son, DAVID JAMES BROWN, now of Albany, Oregon, the Personal Representative of my estate, with full power to mortgage, encumber, lease, sell, exchange and convey, without notice or confirmation, any assets of my estate, real or personal, at such prices and terms as may seem just, and to advance funds and borrow money, secured or unsecured, from any source. I authorize my Personal Representative to appoint an ancillary Personal Representative or agent if such should become necessary or advisable in the judgment of my Personal Representative.

B. In the event that DAVID JAMES BROWN is for any reason unable or unwilling to act as Personal Representative hereof, I nominate my son, STEVEN MARK BROWN, now of Bellingham, Washington, as successor Personal Representative of my estate to act without bond.

C. In the event that STEVEN MARK BROWN is for any reason unable or unwilling to act as Personal Representative hereof, I nominate my step-daughter, DAYLE FUTRELLE, now of Mount Vernon, Washington, as successor Personal Representative of my estate to act without bond.

D. If my Personal Representative makes a distribution to a Custodian for a minor under a Uniform Transfers to Minors Act, I direct that my Executor appoint as Custodian LINCOLN E. FUTRELLE of Mount Vernon, Washington as Custodian.

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LAST WILL AND TESTAMENT OF
KENNETH E. BROWN

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Kenneth E. Brown



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ARTICLE X

Interpretation and Construction

If a court of competent jurisdiction rules invalid or unenforceable any of the provisions hereof, each such provision shall be disregarded and the remainder of this instrument shall be given full force and effect. All questions pertaining to the validity, interpretation, construction and administration of this instrument shall be determined in accordance with the laws of the State of Washington.

I have signed for identification purposes all seven pages and executed the entire instrument by signing this, the sixth page of this my **Last Will and Testament**.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of April 1998.

Kenneth E Brown
KENNETH E. BROWN

The foregoing instrument, was on the above-date signed by KENNETH E. BROWN, who is of sound and disposing mind and memory, and was published and declared by him to be his **Last Will and Testament**, in the presence of us, who at his request and in his presence, and in the presence of each other have attested the same and have affixed our signatures as witnesses thereto.

[Signature]
WITNESS

Mount Vernon, WA
RESIDING AT

Elyse Robbins
WITNESS

Mount Vernon, WA
RESIDING AT

JE
ER

LAST WILL AND TESTAMENT OF
KENNETH E. BROWN



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Skagit County Auditor

AFFIDAVIT OF ATTESTING WITNESSES

STATE OF WASHINGTON)

) ss.

COUNTY OF SKAGIT)

The undersigned witnesses, being duly sworn, state:

1. Each of the undersigned witnesses is over the age of eighteen (18) and competent to witness the Will to which this Affidavit is attached.
2. The Will to which this Affidavit is attached was executed by **KENNETH E. BROWN** on April 23, 1998, at Mount Vernon, Washington.
3. Immediately before execution, said testator declared the document to be his Will, and requested the undersigned witnesses to subscribe their names to it.
4. The testator signed the Will in the presence of all of the witnesses, and the witnesses attested the execution by all subscribing their names in the presence of the testator, and of each other.
5. The testator appeared to be of sound mind, and acted freely and without any duress or undue influence. The witnesses were all competent.

[Handwritten Signature]

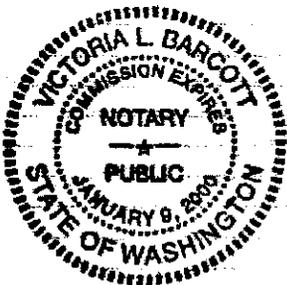
 WITNESS

Elyse Robbins

 WITNESS

SUBSCRIBED AND SWORN to before me this 23rd day of April 1998 at Mount Vernon, Washington.

SEAL



Victoria L. Barcott

 Victoria L. Barcott
 Notary Public in and for Washington
 Residing in Mount Vernon
 My commission expires: 01/09/2000

[Handwritten Signature]

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LAST WILL AND TESTAMENT OF
KENNETH E. BROWN

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it in our presence, and requested that we sign as witnesses to the First Codicil and that we make this affidavit. Each of us then in the presence of KENNETH E. BROWN, and each other, did sign below as witnesses to the First Codicil and make this affidavit. KENNETH E. BROWN appeared to be of sound mind, of legal age, and not under duress.

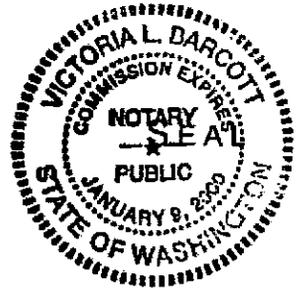
[Signature]
WITNESS

Mount Vernon, WA.
RESIDING AT

Elyse Robbins
WITNESS

Mount Vernon, WA
RESIDING AT

SUBSCRIBED AND SWORN to before me this 23rd day of April 1998, at
Mount Vernon, Washington.



[Signature]
Victoria L. Barcott
Notary Public in and for Washington
Residing in Mount Vernon
My commission expires: 01/09/2000

[Signature]
ER

FIRST CODICIL TO THE LAST WILL AND TESTAMENT OF
KENNETH E. BROWN

[Signature]



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