

Filed for Record at the Request of:

Aaron M. Rasmussen
Attorney at Law
1101 Eighth Street, Suite A
Anacortes, WA 98221



200904270132
Skagit County Auditor

4/27/2009 Page 1 of 7 11:25AM

DOCUMENT TITLE: Lack of Probate Affidavit

GRANTORS: Bert E. Darling

GRANTEE: Public

ABBREV. LEGAL DESCRIPTION: SKYLINE NO 10 LOT 20

ASSESSOR'S TAX/PARCEL ID NOS.: 3826-000-020-0002 / P59930

LACK OF PROBATE AFFIDAVIT

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

BERT E. DARLING, being first duly sworn upon oath, deposes and says:

1. I am the lawful surviving spouse of JACQUELINE G. DARLING ("Decedent"), who died April 9, 2009, at Anacortes, Washington. At that time, Decedent and I were residents of Skagit County, Washington.
2. At the time of Decedent's death, Decedent and I owned as our community property certain real property situated in Skagit County, Washington, commonly known as 4428 Bryce Drive, Anacortes, Washington and legally described as follows:

Assessor's Tax/Parcel No. 3826-000-020-0002 / P59930

Lot 20, Skyline No. 10, according to the Plat thereof recorded in Volume 9 of Plats, page 117, Records of Skagit County, Washington.

Subject to all covenants, conditions, easements, restrictions and reservations of record, if any.

3. All of the community property owned by Decedent and I passed to me at the time of and on account of Decedent's death by virtue of the Washington laws of heirship and descent, particularly, RCW 11.04.015, as her surviving spouse.
4. Furthermore, Decedent's Will, executed on the February 22, 1997, a true copy of which is attached hereto and incorporated by reference herein, designates me as the beneficiary of 100% of Decedent's estate. The original of said Will has been duly filed with the Clerk of the Skagit County Superior Court for the State of Washington under file number 09-4-00146-4.
5. All expenses of Decedent's last illness, funeral, and costs of administration have been paid, and there are no unpaid creditors of Decedent or of the former marital community. Decedent's estate was not subject to state or federal transfer taxes, because its fair market value as of the date of Decedent's death was below the applicable exemption thresholds in effect at that time.
6. Decedent executed a Will on the February 22, 1997, a true copy of which is attached hereto and incorporated by reference herein. The original of said Will has been filed with the Clerk of the Skagit County Superior Court for the State of Washington under file number 09-4-00146-4. The will designates me as the beneficiary of 100% of Decedent's estate.
7. No proceedings have occurred, nor are any proceedings contemplated, to probate Decedent's estate. The affiant is aware of no objection or proceeding relating to the estate of the Decedent.
8. This affidavit is made to induce any and all title insurance companies to issue policies of title insurance on real property passing to me as the surviving spouse of Decedent.

DATED this 24 day of April, 2009.

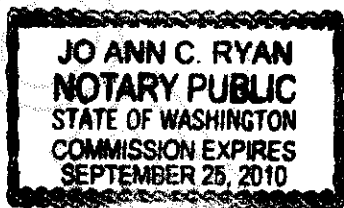

BERT E. DARLING

Lack of Probate Affidavit
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SUBSCRIBED and SWORN (or affirmed) to before me this 24 day of April, 2009.



JoAnn C. Ryan

NOTARY PUBLIC in and for the State of

Washington, residing at Anacortes.

My appointment expires 9-25-10.



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Skagit County Auditor

Will of JACQUELINE G. DARLING

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

PERSONAL INFORMATION 09 4 00146 4 2009 APR 14 PM 2:04

I, JACQUELINE G. DARLING, a resident of the State of Washington, SKAGIT COUNTY, declare that this is my will. My Social Security Number is [REDACTED]

REVOCATION OF PREVIOUS WILLS

I revoke all wills and codicils that I have previously made.

MARITAL STATUS

I am married to BERTRAM E. DARLING.

CHILDREN

I have the following children now living: CHRISTINE A. EASON and KAREN L. KOHATSU.

GRANDCHILDREN

I have the following grandchildren now living: ALEXANDRA A. EASON, JASON K. KOHATSU and JENNIFER T. KOHATSU.

FAILURE TO LEAVE PROPERTY

If I do not leave property in this will to one or more of my children or grandchildren named above, my failure to do so is intentional.

DISPOSITION OF PROPERTY

All beneficiaries must survive me for 45 days to receive property under this will. As used in this will, the phrase survive me means to be alive or in existence as an organization on the 45th day after my death.

All personal and real property that I leave in this will shall pass subject to any encumbrances or liens placed on the property as security for the repayment of a loan or debt.

If I leave property to be shared by two or more beneficiaries, it shall be shared equally by them unless this will provides otherwise.

If I leave property to be shared by two or more beneficiaries, and any of them does not survive me, I leave his or her share to the others equally unless this will provides otherwise for that share.

I leave my entire estate, consisting of all property I own at my death subject to this will, to my husband BERTRAM E. DARLING. If my husband BERTRAM E. DARLING does not survive me, I leave my entire estate to my children CHRISTINE A. EASON and KAREN L. KOHATSU in equal shares.

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Initials: JD, JM, RM, FM

Date: 3/22/97



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Will of JACQUELINE G. DARLING

PERSONAL REPRESENTATIVE

I name BERTRAM E. DARLING to serve as my personal representative.

If BERTRAM E. DARLING is unwilling or unable to serve as personal representative, I name CHRISTINE A. EASON and KAREN L. KOHATSU to serve together as my joint personal representatives.

If CHRISTINE A. EASON or KAREN L. KOHATSU is unwilling or unable to serve as personal representative, the other personal representative shall continue to serve.

No personal representative shall be required to post bond.

PERSONAL REPRESENTATIVES POWERS

I direct my personal representative to take all actions legally permissible to have the probate of my will done as simply and as free of court supervision as possible under the laws of the state having jurisdiction over this will, including filing a petition in the appropriate court for the independent administration of my estate.

I grant to my personal representative the following powers, to be exercised as he or she deems to be in the best interests of my estate:

- 1) To retain property without liability for loss or depreciation.
- 2) To dispose of property by public or private sale, or exchange, or otherwise, and receive and administer the proceeds as a part of my estate.
- 3) To vote stock, to exercise any option or privilege to convert bonds, notes, stocks or other securities belonging to my estate into other bonds, notes, stocks or other securities, and to exercise all other rights and privileges of a person owning similar property.
- 4) To lease any real property in my estate.
- 5) To abandon, adjust, arbitrate, compromise, sue on or defend and otherwise deal with and settle claims in favor of or against my estate.
- 6) To continue or participate in any business which is a part of my estate, and to incorporate, dissolve or otherwise change the form of organization of the business.

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JD IM RM BM

Date:

2/22/97



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Will of JACQUELINE G. DARLING

The powers, authority and discretion I grant to my personal representative are intended to be in addition to the powers, authority and discretion vested in him or her by operation of law by virtue of his or her office, and may be exercised as often as is deemed necessary or advisable, without application to or approval by any court.

PAYMENT OF DEBTS

Except for liens and encumbrances placed on property as security for the repayment of a loan or debt, I want all debts and expenses owed by my estate to be paid in the manner provided for by the laws of Washington.

PAYMENT OF TAXES

I want all estate and inheritance taxes assessed against property in my estate or against my beneficiaries to be paid in the manner provided for by the laws of Washington.

NO CONTEST PROVISION

If any beneficiary under this will contests this will or any of its provisions, any share or interest in my estate given to the contesting beneficiary under this will is revoked and shall be disposed of as if that contesting beneficiary had not survived me.

SEVERABILITY

If any provision of this will is held invalid, that shall not affect other provisions that can be given effect without the invalid provision.

[illegible]

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Will of JACQUELINE G. DARLING

SIGNATURE

I, JACQUELINE G. DARLING, the testator, sign my name to this instrument, this 22 day of February, 19 97, at Amacoris, Skagit County, Wa.. I declare that I sign and execute this instrument as my last will, that I sign it willingly, and that I execute it as my free and voluntary act. I declare that I am of the age of majority or otherwise legally empowered to make a will, and under no constraint or undue influence.

Jacqueline G. Darling
(Signed)

WITNESSES

We, the witnesses, sign our names to this instrument, and declare that the testator willingly signed and executed this instrument as the testators last will.

In the presence of the testator, and in the presence of each other, we sign this will as witnesses to the testators signing.

To the best of our knowledge, the testator is of the age of majority or otherwise legally empowered to make a will, is mentally competent and under no constraint or undue influence.

We declare under penalty of perjury that the foregoing is true and correct, this 22 day of February, 19 97, at Amacoris, Skagit County, Wa.

Witness #1:

John F. Moore

Residing at:

1 Prudle Lane Rancho Palos Verdes, Ca 90275

Witness #2:

Robert W. Clark

Residing at:

4424 Bryce Dr. - Amacoris Wa. 98221

Witness #3:

William M. Moore (W)

Residing at:

3203 1/2 SHORE SHADOWS DR, CROSBY TX 77532

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