

When recorded return to:  
Alan Hebert  
17703 Ervine Lane  
Mount Vernon, WA 98274



201612160071  
Skagit County Auditor \$77.00  
12/16/2016 Page 1 of 5 12:00PM

**DOCUMENT TITLE(S)**

Lack of Probate Affidavit

**CHICAGO TITLE**

620029078 5/77

**REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED: \_\_\_\_\_**

Additional reference numbers on page \_\_\_\_\_ of document

**GRANTOR(S)**

Alan Hebert

☐ Additional names on page \_\_\_\_\_ of document

**GRANTEE(S)**

Washington, State of

☐ Additional names on page \_\_\_\_\_ of document

**ABBREVIATED LEGAL DESCRIPTION**

PTN S/2 SW SE, 34-34-04

Complete legal description is on page \_\_\_\_\_ of document

**TAX PARCEL NUMBER(S)**

P131208 / 340434-4-005-0011

Additional Tax Accounts are on page \_\_\_\_\_ of document

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

"I am signing below and paying an additional \$50 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

\_\_\_\_\_  
Signature of Requesting Party

Note to submitter: Do not sign above nor pay additional \$50 fee if the document meets margin/formatting requirements

LACK OF PROBATE AFFIDAVIT  
STATE OF WASHINGTON

FOR SEPARATE PROPERTY, COMMUNITY PROPERTY, OR JOINT TENANCY PROPERTY

Title Insurance Commitment No.: 4200 29078

County: Skagit

STATE OF Wash. )

SS:

COUNTY OF Skagit )

Alan E. Hebert (herein, "Affiant"), being first duly sworn, on oath deposes  
and says:

That Affiant is (check one).

- ☒ the lawful surviving spouse of the Decedent  
☐ Surviving child of the Decedent  
☐ Registered domestic partner of the Decedent  
☐ One of the joint tenants named in that certain instrument creating a joint tenancy with a right of survivorship identified in that certain deed recorded on \_\_\_\_\_ [mm/dd/yyyy], under Recording No. \_\_\_\_\_, in \_\_\_\_\_ County, Washington,  
☐ other (identify): \_\_\_\_\_

All with respect to the estate of Darcy Y. Hebert (herein "Decedent"), who died on 4-13-16, in the County of King, State of Wash, then being a resident of the City of Mount Vernon, County of Skagit, State of \_\_\_\_\_, (A copy of the death certificate is attached hereto.)

That Affiant has herein below identified each and all of the heirs at law and next of kin of decedent, including but not limited to children, adopted children, the issue of any predeceased child or adopted child (if decedent left no surviving children, then Affiant has listed below all of the surviving parents, brothers and sisters of decedent), spouse, registered domestic partner, and **including all parties who would have been heirs at law if the decedent had not been married or a registered domestic partner on the date of death:**

That the heirs at law and next of kin of the decedent are (list all parties, using the reverse side or attaching a list if necessary):

Name & relationship Alan E. Hebert Husband  
Address: 17703 Ervine Lane Mount Vernon Wash 98273  
Name & relationship \_\_\_\_\_  
Address: \_\_\_\_\_  
Name & relationship \_\_\_\_\_  
Address: \_\_\_\_\_  
Name & relationship \_\_\_\_\_  
Address: \_\_\_\_\_

That among items of real property owned by the Decedent at the time of death was real estate located in Shaght County, Washington, and described in the above referenced Title Insurance Commitment.

As to the Decedent, said real estate was [check one]

- ☒ Community property  
☐ Separate property  
☐ Joint tenancy property

**CHECK ALL BOXES WHICH APPLY IN EACH SECTION:**

1. That on the date the real property was purchased the Decedent was:

- ☒ married to Alan E. Hebert  
☐ unmarried, not a registered domestic partner  
☐ unmarried, a registered domestic partner of \_\_\_\_\_

2. That on the date of death the Decedent was

- ☒ married to Alan E. Hebert  
☐ unmarried, not a registered domestic partner  
☐ unmarried, a registered domestic partner of \_\_\_\_\_

3. ☒ That the decedent left a Will, a copy of which is attached hereto.

- ☐ That the decedent left no Will.  
☐ That the decedent executed a Community Property Agreement. It was recorded under \_\_\_\_\_  
County recording number \_\_\_\_\_. (if unrecorded, attach a copy)

4. ☒ That the decedent's estate is not being probated.

- ☐ That the decedent's estate is subject to probate proceedings in \_\_\_\_\_ County, State  
of \_\_\_\_\_, under Probate No. \_\_\_\_\_

5. ☒ That the estate of the decedent is exempt from State and/or Federal succession or inheritance taxes.

- ☐ That State and/or Federal succession or inheritance taxes in the amount of \$ \_\_\_\_\_ have been paid. Copies of the release/discharge are attached hereto.  
☐ That State and/or Federal succession or inheritance taxes are due, but have not been paid.

6. ☒ That the decedent has not received assistance from the State of Washington for medical care.

- ☐ That the decedent has received assistance from the State of Washington for medical care.  
☐ That the State of Washington has been fully reimbursed for assistance for medical care.

That, with respect to the property, if any, owned by the Decedent in joint tenancy as described above, at all times from the time of the execution of the instrument by which the joint tenancy was created to the death of the Decedent, each of the joint tenants recognized that the above described joint tenancy property was held in joint tenancy, and that the interest of no one or more of said joint tenants has ever been conveyed, encumbered or otherwise separated from the interest of the other joint tenant(s), either voluntarily or involuntarily, whether by specific act or by operation of law; and that said joint tenancy continued in full force until the death of the

Decedent with respect to the interest of the Decedent and, if there are two or more surviving joint tenants, including the Affiant, the joint tenancy continues with respect to the interests of the said surviving joint tenants.

That Affiant knows of the Affiant's own knowledge, and so states, that each and all of the obligations against the estate of said Decedent (including, but not limited to: all the debts of decedent; all of the expenses of Decedent's last illness, funeral and burial; promissory notes; installment contracts and mortgages; and state and federal succession taxes upon Decedent's estate, if applicable) have been paid in full, except as follows (use reverse side or attach a list if necessary): Yes

That the value of the Decedent's estate at date of death, including all real and personal property, was approximately \$ 3,000,000.00, including the value of community property of Decedent and Decedent's surviving spouse, if any, of approximately \$ 3,000,000.00, and including the value of Decedent's separate property, if any, of approximately \$ 3,000,000.00, and including the full value of all other property, if any, held by the Decedent in joint tenancy of approximately \$ 3,000,000.00.

This affidavit is made to induce Chicago Title TITLE INSURANCE COMPANY (the Company) to insure real property covered by the Company's order number set forth above, in which Decedent held an interest at the time of the Decedent's death. Affiant urges the Company to issue its policy of title insurance in full reliance upon the representations set forth herein. The Affiant, for the Affiant and for the Affiant's heirs, executors and administrators, covenants to indemnify said Company or any other person, including a purchaser of said real estate, for any loss arising from reliance on any misstatement of fact herein.

DATED: 12-6-16, 2016

Alan E. Hebert

(Signature)

Alan E. Hebert

(Print or type Affiant's full name)

17703 Ervine Lane Mount Vernon Wash 98274

(Full address and telephone number)

425-308-5445

SUBSCRIBED and SWORN TO before me this 6<sup>th</sup> day of December, 2016

Kathy A. Freeman  
Notary Public in and for the State of  
Washington, residing at Snohomish co

KATHERYN A. FREEMAN  
STATE OF WASHINGTON

NOTARY --- PUBLIC  
My Commission Expires 9-01-2018

## EXHIBIT "A" LEGAL DESCRIPTION

Order No.: 620029078

**For APN/Parcel ID(s): P131208 / 340434-4-005-0011**

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That portion of the South Half of the Southwest Quarter of the Southeast Quarter of Section 34, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the Southwest corner of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of said Section 34:

Thence South 89 degrees 32'18" East along the South line of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of said Section 34, a distance of 167.20 feet to a point on the Northerly prolongation of the Easterly line of that certain 40.00 foot wide road right of way as reserved in Quit Claim Deed filed under Auditor's File No. 803998, records of Skagit County, Washington;

Thence South 1 degree 31'48" East, a distance of 87.10 feet to a point on the Easterly line of said right of way and the point of beginning of this description;

Thence South 1 degree 31'48" East along said Easterly right of way line, a distance of 181.52 feet;

Thence South 1 degree 17'44" West along said Easterly right of way line, a distance of 53.62 feet;

Thence North 88 degrees 28'12" East, a distance of 144.01 feet;

Thence North 1 degree 31'48" West, a distance of 205.04 feet;

Thence South 88 degrees 33'59" West, a distance of 58.58 feet to a curve to the right having a radius of 130.00 feet;

Thence Westerly and Northerly along said curve through a central angle of 39 degrees 35'02", an arc distance of 89.81 feet to the point of beginning of this description.

Situated in Skagit County, Washington