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Skagit County Auditor

10/3/2011 Page 1 of 6 1:58PM

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Anacortes, WA 98221

DOCUMENT TITLE: Lack of Probate Affidavit

GRANTORS: Agnes C. Ashback

GRANTEE: Public

ABBREV. LEGAL DESCRIPTION: (0.3900 ac) POTLATCH BEACH LOT 56 1/75 INT IN 2ND CLASS T.L. DJ TO 19 TO 56 & N 1/2 VAC RD ADJ TO LESS NWLY 77FT OF 56

ASSESSOR'S TAX/PARCEL ID NOS.: 3967-000-056-0107 / P68076

LACK OF PROBATE AFFIDAVIT

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

AGNES C. ASHBACK, being first duly sworn upon oath, deposes and says:

- 1. I am the lawful surviving spouse of EUGENE DANIEL ASHBACK ("Decedent"), who died May 5, 1988, at Anacortes, Washington. At that time, Decedent and I were residents of Skagit County, Washington.
- 2. All expenses of Decedent's last illness, funeral, and costs of administration were 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.

3. Decedent executed a Will on the July 6, 1979, a true copy of which is attached hereto and incorporated by reference herein. The will designated me as the primary beneficiary of 100% of Decedent's estate.
4. 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.
5. At the time of Decedent's death, Decedent and I owned as our community property certain real property situated in Skagit County, Washington, legally described as follows:

Lot 56, "PLAT OF POTLATCH BEACH", according to the plat recorded in Vol. 6 of Plats, Page 10, records of Skagit County, Washington. TOGETHER with the N1/2 of vacated Guemes Island Road adjoining, except that portion thereof which lies Northerly of a line 77 feet south of and parallel to the northerly line of said Lot 56 and also except that portion, if any, lying below the line of extreme high tide. TOGETHER with a 1/75th undivided interest in those portions of Lots 19 to 56 inclusive, "Plat of Potlatch Beach", lying below the line of extreme high tide and tidelands of the second class situated in front of, adjacent to and abutting upon said Lots 19 to 56 inclusive. ALSO, together with a non-exclusive easement of right of way over Lot 19 and the Westerly 20 feet of Lots 20 and 21 of said Plat. RESERVING IN THE SELLERS an easement over the East 10 feet of said portion of Lot 56 for the purpose of laying, constructing, maintaining, repairing and replacing water pipe lines.

Assessor's Tax/Parcel No. 3967-000-056-0107 / P68076

6. 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 29th day of September, 2011.

Agnes C. Ashback
AGNES C. ASHBACK

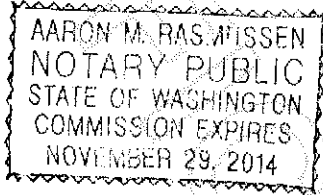


SUBSCRIBED and SWORN (or affirmed) to before me this 29 day of September, 2011.

Aaron M. Rasmussen

NOTARY PUBLIC in and for the State of
Washington, residing at Anacortes.

My appointment expires 11-29-14.



ATTACHMENT

LAST WILL AND TESTAMENT

OF

EUGENE D. ASHBACK

KNOW ALL MEN BY THESE PRESENTS, That I, EUGENE D. ASHBACK, of Portland, Oregon, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, to-wit:

FIRST: I hereby revoke all former Wills and Codicils to Wills I may have made at any time heretofore.

SECOND: I direct that all of my just debts and expenses of funeral and last illness be paid as soon after my death as may be practicable.

THIRD: I declare that AGNES C. ASHBACK is my lawful wedded wife and that the only children I have ever had are BRUCE E. ASHBACK, my son, DALE J. ASHBACK, my son, and PAUL J. ASHBACK, my son.

FOURTH: I give and devise all of my property and estate, both real, personal and mixed, where-soever situated, of which I may die seized or possessed or to which I may be entitled at the time of my decease, including all money or property which shall become payable to my estate at or subsequent to my death, unto my wife, AGNES C. ASHBACK, provided, however, that she shall survive me.

FIFTH: If AGNES C. ASHBACK, my wife, shall not survive me, then I give and devise all of my property and estate, both real, personal and mixed, where-soever situated, of which I may die seized or possessed of to which I may be entitled at the time of my decease, in-cluding all money or property which shall become payable to my estate at or subsequent to my death, unto my three sons, BRUCE E. ASHBACK, DALE J. ASHBACK and PAUL J. ASHBACK, and to the survivor or survivors; provided, however, that if any of them shall predecease me, but leave children surviving me, then his children shall take that which his father would otherwise have received under this Will.

SIXTH: I give and grant unto my executrix or executor hereinafter named, full power and authority to mortgage, sell, lease, exchange and convey any real property or personal property of which I may die seized or possessed, or any interest in the same, and to borrow money on the general credit of the estate for the purpose of administering my estate, paying the costs or claims thereof, or distributing the proceeds thereof, without an order of the Court for that purpose and without notice, approval or confirmation, and I direct that my estate be settled in the manner provided in this, my Last Will and Testament, without the intervention of any Court other than to admit this Will to probate, and such other procedure as may be required by the law covering the probate of non-intervention Wills and the administration of estates thereunder.



SEVENTH: I nominate and appoint AGNES C. ASHBACK, my wife, to be the sole executrix of this, my Last Will and Testament, to act without bond.

EIGHTH: If AGNES C. ASHBACK, my wife, shall fail to qualify as executrix, then I nominate and appoint BRUCE E. ASHBACK, my son, to be the sole executor of this, my Last Will and Testament, to act without bond.

IN WITNESS WHEREOF I hereunto set my hand and seal at Portland, Oregon this 6 day of July, 1979.

Eugene D. Ashback

The foregoing instrument, consisting of three (3) pages, including this page, was on the date thereof at Portland, Oregon, signed, sealed, published and declared to be his Last Will and Testament by the Testator, EUGENE D. ASHBACK, in the presence of us, the undersigned, as witnesses; and we then and there subscribed our names as witnesses thereto at the request of the Testator and in his presence and in the presence of each other.

Nancy Joan Brown Residing at: 5614 N. Irving, Portland,

Ore. 97206

David Heyward Residing at: 2161 S.W. Yamhill

Portland, Oregon 97205

Wilhelm K. Shepherd Residing at: 2538 S.W. Hamilton St

Portland, Oregon 97205

