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IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LANE

IN THE MATTER OF THE ESTATE ) Probate No. 21209

OF

DECREE OF FINAL  
DISTRIBUTION

REESE WINGARD, deceased

**FILED**  
AT 10 O'CLOCK  
DEC 11 1975  
D. M. PRYFIELD, Director of the  
Dept. of Records and Elections of Lane County  
BY *M. J. [Signature]*

The personal representative filed her final account on December 10, 1975, and the time for filing objections having been waived by the distributees, the Court finds that:

1. All Oregon income, inheritance and personal property taxes have been paid and appropriate receipts, releases and clearances therefor have been filed herein.

2. The personal representative is entitled to compensation from the estate in the amount of \$5,015.32 for her services, as provided in ORS 116.173.

3. Remaining unsatisfied claims and expenses of administration, including reasonable attorneys fees, are:

Compensation of the personal representative  
in the amount of (\$2,500.00 has been  
previously paid) - - - - - \$ 2,515.32

Reasonable attorneys fees in the amount of  
(\$5,000.00 has been previously paid) - - 5,870.65

Miscellaneous costs of administration in the  
amount of - - - - - 1,534.13

4. The remainder of the estate assets after payment of the claims and expenses set forth above is vested in the persons pursuant to the agreement attached to the Final Account and approved by this Court. A photocopy of said agreement is attached hereto and by this reference made a part hereof.

5. The final account and interim accounts are approved in whole.

IT IS ORDERED AND DECREED:

(1) The final account and interim accounts are approved.

(2) The personal representative is directed to pay the remaining claims and expenses of administration as set forth above.

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B.W.  
C. E. J. & C. K. J.  
ATTORNEYS AT LAW  
1103 OLIVE STREET (P. O. BOX 323)  
EUGENE, OREGON 97401  
TELEPHONE: 345-0371

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(3) The personal representative is allowed the total sum of \$5,015.32 as just and reasonable compensation for her services and \$10,870.65 as attorneys' fees.

(4) The personal representative is directed to make distribution of the remaining estate property to the persons and in the amounts set forth in the agreement referred to in paragraph 4 above, and said property is hereby vested in said persons in the amounts set forth.

DATED this 11 day of December 1975.

*Douglas R. Spencer*  
Circuit Judge

CALKINS & CALKINS  
ATTORNEYS AT LAW  
1143 OLIVE STREET (P.O. BOX 329)  
KINGMAN, ARIZONA 86401  
TELEPHONE: 345-0371

THIS AGREEMENT Made and entered into on the 4th day of December 1975, by and between IRMA WINGARD hereinafter referred to as "IRMA", DANIEL R. WINGARD hereinafter referred to as "DANIEL", and DAVID A. WINGARD hereinafter referred to as "DAVID";

## W I T N E S S E T H:

## RECITALS:

On the 10th day of March 1973, Reese Wingard died intestate in Eugene, Lane County, Oregon, leaving real and personal property.

Probate proceedings were commenced in the Circuit Court of the State of Oregon for Lane County, Probate No. 21209. Decedent's heirs were determined as follows:

wife - Irma Wingard  
son - Daniel R. Wingard  
son - David A. Wingard

The remaining estate assets to be distributed to the heirs under the law of intestate succession, after payment of decedent's debts, expenses of administration and taxes, are as follows:

A. Commercial property located at 1594 Territorial Road, Veneta, Oregon, legally described as:

Lots 6, 7 and 8, Block 24, original plat of Town of Veneta, Lane County, Oregon;  
hereinafter referred to as "VENETA PROPERTY".

B. Commercial property located at 3990 Main Street, Springfield, Oregon, legally described as:

Beginning at the Southeast corner of the Lucinda Comegys Donation Land Claim No. 81, Township 17 South, Range 2 West of the Willamette Meridian; thence South 89°50 1/2' West 1392.1 feet along the South line of said Donation Land Claim to a point marked by an iron pin; thence South 0°02' West 1484.9 feet to an iron pin marking the true point of beginning; thence South 0°02' East 200.0 feet to an iron pipe set on the Northerly right of way line of the McKenzie Highway; thence South 89°44 1/2' East 100.0 feet along said right of way line to a point marked by an iron pin; thence North 0°02' West 200.0 feet to a point marked by an iron pin; thence North 89°44 1/2' West 100.0 feet along a line parallel to the center line of the McKenzie Highway to the true point of beginning, in Lane County, Oregon;

hereinafter referred to as "SPRINGFIELD PROPERTY".

C. Vacant lot located in Klamath Falls, Oregon, legally described as:

Lot 6, Block 32, First Addition to Klamath Falls, in Klamath County, Oregon;

hereinafter referred to as "KLAMATH FALLS PROPERTY".

D. 895 Shares of the common stock of Brockway Company, Inc., hereinafter referred to as "BROCKWAY STOCK".

E. Cash in the estate checking and savings accounts in the approximate amount of \$7,725.00, plus accruing interest, hereinafter referred to as "CASH".

During the administration of the estate, IRMA has loaned DAVID cash in the total sum of \$8,000.00.

NOW, THEREFORE, IT IS AGREED:

1. DANIEL's one-quarter share of the estate shall consist of the VENETA PROPERTY in its entirety.

2. DAVID's one-quarter share of the estate less the

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loans of \$8,000.00 from IRMA which are hereby repaid in full,  
shall consist of the following property:

- a. The SPRINGFIELD PROPERTY;
- b. The KLAMATH FALLS PROPERTY;
- c. 121 Shares of BROCKWAY STOCK; and,
- d. \$1,362.50 of CASH.

3. IRMA's one-half share of the estate shall consist  
of the following property:

- a. 774 Shares of BROCKWAY STOCK; and,
- b. \$6,362.50 of CASH.

4. It is understood and agreed that any amounts over  
and above the \$7,725.00 CASH shall be paid one-third to DAVID  
and two-thirds to IRMA.

5. It is agreed that the above estate assets may be  
distributed to the parties hereto, according to their above  
mentioned agreed shares.

*Irma Wingard*  
Irma Wingard

*Daniel R. Wingard*  
Daniel R. Wingard

*David A. Wingard*  
David A. Wingard

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STATE OF OREGON }  
COUNTY OF LANE } ss.

I, D. M. PENFOLD, Director of the Dept. of Records and Elections of Lane County and ex-officio Clerk of the Court of the State of Oregon, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of Lane, Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court this 16<sup>th</sup> day of December, 1975.  
D. M. PENFOLD,

Director of the Dept. of Records and Elections of Lane County  
By Shirley West Deputy

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of MARK S. J. JAMES, ATTYS.  
this 17th day of DECEMBER A. D., 1975 at 2:46 o'clock P. M., and duly recorded in  
Vol. M 75 of DEEDS on Page 15865

FEE \$ 15.00

By WM. D. MILNE, County Clerk  
Hazel Dragle Deputy

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