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IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JOSEPHINE COUNTY  
PROBATE DEPARTMENT

In the Matter of the Last Will  
and Estate  
of  
HOWARD P. BEARSS, Deceased.

No. 80-46-P

DECREE OF FINAL DISTRIBUTION

The Personal Representative having filed his Final Account herein and the time for filing objections having passed with no objections filed, 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. All creditors' claims filed herein have been paid.

2. The remaining expenses of administration, including reasonable attorneys' fees, are:

Reasonable attorneys' fee for the Personal Representative's attorneys herein is the sum of \$7,289.00. By order of the Court dated December 17, 1981, the Personal Representative was ordered to make a partial payment of attorneys' fees in the amount of \$4,925.00, which sum was paid, leaving a balance due on said fees of \$2,364.00. In addition, there are miscellaneous expenses of an estimated amount of \$200.00.

3. Subsequent to the filing of the Final Account herein, the Personal Representative, pursuant to an order of the Court dated September 29, 1981 authorizing the same, made a partial distribution

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1 of \$13,000.00 to Jack H. Bearss and \$13,000.00 to Ernest H. Bearss.

2 4. Proof of mailing the notice of the time for filing objec-  
3 tions to the Final Account and Petition for Decree of Final Distri-  
4 bution has been filed herein.

5 5. The remainder of the estate assets, after payment of the  
6 final costs and expenses of administration, is vested in the follow-  
7 ing devisees under decedent's Will:

8 In equal shares to the decedent's brothers, Jack H. Bearss  
9 and Ernest H. Bearss.

10 IT IS ORDERED AND DECREED:

11 1. The Final Account of the Personal Representative is ap-  
12 proved, settled, allowed and confirmed.

13 2. The Personal Representative is directed to pay the remain-  
14 ing expenses of administration as set forth above, including the  
15 balance due on attorneys' fees of \$2,364.00.

16 3. The Personal Representative is directed to make distribution  
17 of the remaining estate property in equal shares to Jack H. Bearss  
18 and Ernest H. Bearss, and said property is hereby vested in said  
19 persons in the amounts set forth.

20 4. Any and all property not now known or discovered or not  
21 herein set forth in which the decedent, Howard P. Bearss, may have  
22 or hereafter may acquire any interest in or in which his estate may  
23 have any interest is hereby distributed, transferred and set over  
24 to the above named Jack H. Bearss and Ernest H. Bearss, in equal  
25 shares.

26 IT IS FURTHER ORDERED AND DECREED that the following described  
Page -2-Decree

1 real property is hereby specifically distributed and set over in  
 2 equal shares to Jack H. Bearss and Ernest H. Bearss, said real prop-  
 3 erty being located in Klamath County, Oregon, and being described  
 4 as:

5 Beginning at the Northwest corner of the Southeast one quar-  
 6 ter (SE 1/4) Sec. 33, Twp. 39 S. R. 11-1/2 E.W.M. which point is  
 7 on the center line of the Poe Valley Market road; thence North  
 8 89 degs. 54' E. along the North line of the Southeast one quar-  
 9 ter of said Section 33, a distance of 1258.3 feet more or less  
 10 to the center line of the U.S.R.S. No. 21A drain; thence South  
 11 57 degs. 57' West along the center line of said drain and along  
 12 the center line of said drain extended, to the West line of the  
 13 Southeast one-quarter of said Sec. 33, which point is on the  
 14 center line of said Poe Valley Market road at a distance of 791  
 15 feet more or less from the point of beginning; thence North 791  
 16 feet along the center line of said Market Road to the point of  
 17 beginning, being a portion of the NW 1/4 of SE 1/4 of Sec. 33  
 18 Twp. 39 S. R. 11 1/2 East W.M. and containing 10.5 acres, more  
 19 or less. Subject to a right of way for drain ditch and Market  
 20 Road and all easements and rights of way over and across the  
 21 premises.

22 IT IS FURTHER ORDERED AND DECREED that the following described  
 23 real property is hereby specifically distributed and set over in  
 24 equal shares to Jack H. Bearss and Ernest H. Bearss, said real prop-  
 25 erty being located in Josephine County, Oregon, and being described  
 26 as:

27 Lots 7, 8 and 9, Block 58, Original Townsite of Grants Pass,  
 28 Josephine County, Oregon. Tax Lots 8400 and 8500, Code 1 36-5-17-32.

29 Dated April 22, 1982.

30 L. A. Cushing

31 Circuit Judge

32 L. A. Cushing

33 STATE OF OREGON: COUNTY OF KLAMATH :ss  
 34 I hereby certify that the within instrument was received and filed for  
 35 record on the 11 day of August A.D., 1982 at 2:58 o'clock P M,  
 36 and duly recorded in Vol M 82, of Deeds on page 10347

37 Fee \$ 12.00

38 EVELYN BIEHN COUNTY CLERK

39 by [Signature] Deputy