

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

2 In the Matter of the Estate)

3 of)

No. P-178-81

4 NINA GERTRUDE JAMES,)

5 Deceased.)

ORDER APPROVING FINAL ACCOUNT
AND DECREE OF FINAL DISTRIBUTION

6 The Personal Representative filed his Final Account on
7 October 8, 1982, and the time for filing objections having
8 passed with no objections filed, the Court finds that:

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

12 2. The Personal Representative has waived his right to
13 receive compensation for his services rendered herein.

14 3. Remaining unsatisfied claims and expenses of admini-
15 stration, including reasonable attorneys' fees, are:

16 Cottle & Howser - Reasonable attorneys' fees in the
17 sum of \$3,750.00, which sum is a reasonable amount
18 based on the fees usually and customarily charged
for estates of this type in Jackson County, Oregon.

19 4. The remainder of the estate assets, after payment of
20 the claims and expenses set forth above, is vested in the follow-
21 ing persons in accordance with decedent's Will:

22 (a) Title to the real property located in Klamath
23 County, Oregon, more particularly described as follows:

24 PARCEL 1:

25 Beginning at the East line of Michigan Avenue
(formerly Canal Road) at a point 41 and 2/3 feet
26 Northwest of the most Southerly corner of Lot 6,
Block 57 of Second Hot Springs Addition to Klamath

Order Approving Final Account and
Decree of Final Distribution - 1-

1 Falls, Oregon, as shown by the duly recorded plat
 2 thereof; thence Northeasterly at right angles to
 3 Michigan Ave. 100 feet; thence Northwesterly parallel
 4 with Michigan Ave. 40 and 5/6 feet; thence Southwesterly
 5 at right angles to Michigan Ave. 100 feet; thence
 6 Southeasterly along the East line of Michigan Ave.
 7 50 and 5/6 feet to the point of beginning, being a
 8 part of Lots 5 and 6, Block 57 Second Hot Springs
 9 Addition.

10 PARCEL II:

11 The Southeasterly one-third of Lots 5 and 6 of Block
 12 57, in Second Hot Springs Addition to Klamath Falls,
 13 Oregon as shown by the duly recorded plat thereof in
 14 the office of the County Clerk of Klamath County,
 15 Oregon, being more particularly described as follows,
 16 to-wit:

17 Beginning at the most Southerly corner of Lot 6,
 18 Block 57, Second Hot Springs Addition to the City
 19 of Klamath Falls, Oregon, on the Easterly line of
 20 Michigan Avenue, thence Northwesterly along the
 21 Easterly line of Michigan Avenue 41-2/3 feet; thence
 22 Northeasterly at right angles to Michigan Avenue 100
 23 feet; thence Southeasterly parallel with Michigan
 24 Avenue 41-2/3 feet; thence Southwesterly at right
 25 angles to Michigan Avenue 100 feet to the Easterly
 26 line of Michigan Avenue to the point of beginning.

shall be vested as follows:

TO: MICHAEL JAMES, RICHARD JAMES and MARILYN TURNER,
 as tenants in common as to an undivided one-seventh
 (1/7) interest therein; and

TO: PRUDENCE E. TERRELL, ORVILLE C. JAMES, DORIS J.
 KITT, CLYDE W. JAMES, DEE F. JAMES, JR. and CHRISTENL
 MOORE, as tenants in common, each as to a one-
 seventh (1/7) undivided interest therein.

(b) Seller's interest in Contract of Sale with
 Thurman Lee Holmes and Opal Faye Holmes as Purchasers,
 said Contract being collected by First Interstate
 Bank, Klamath Falls Branch, Collection Escrow No.
 E 1789, C 3063 shall be distributed as received as
 follows:

////

Order Approving Final Account and
 Decree of Final Distribution -2-

1 TO: MICHAEL JAMES, RICHARD JAMES and MARILYN TURNER,
2 as tenants in common as to an undivided one-seventh
3 (1/7) interest therein, and

4 TO: PRUDENCE E. TERRELL, ORVILLE C. JAMES, DORIS J.
5 KITT, CLYDE W. JAMES, DEE F. JAMES, JR. and
6 CHRISTENE MOORE, as tenants in common, each as
7 to a one-seventh (1/7) undivided interest therein.

8 (c) The remaining assets of the estate, being in
9 the nature of cash in the estate commercial account,
10 shall be divided into seven (7) equal parts, with the
11 following persons to receive a one-seventh (1/7) thereof
12 each:

13 PRUDENCE E. TERRELL
14 DORIS J. KITT
15 DEE F. JAMES, JR.

ORVILLE C. JAMES
CLYDE W. JAMES
CHRISTENE MOORE

16 and with the remaining one-seventh (1/7) to be divided
17 equally among MICHAEL JAMES, RICHARD JAMES and MARILYN
18 TURNER

19 PROVIDED that such distribution shall reflect an offset
20 against the shares of ORVILLE C. JAMES and DEE F. JAMES,
21 JR. are to receive by reason of their receiving the
22 title to Account No. 0001 and No. 0002 respectively
23 in the Southern Pacific Credit Union, Klamath Falls,
24 Oregon.

25 5. Proof of mailing the Notice of Time for Filing Ob-
26 jections to the Final Account and Petition for Decree of Final
Distribution has been filed herein.

6. The Final Account should be approved.

IT IS ORDERED AND DECREED:

1. The Final Account is approved, except as it may be
modified by this Order.

2. The Personal Representative is directed to pay the
sum of \$3,750.00 to Cottle & Howser for their attorney's fees
for services rendered herein, which sum is a reasonable amount
based on the fees usually and customarily charged for estates

Order Approving Final Account and
Decree of Final Distribution -3-

