

MTL-19865D

Vol. 227 Page 108

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY  
 2 In the Matter of the Estate )  
 3 of ) NO.: P-217-72  
 4 ESTHER RUSCO, ) ORDER OF DISCHARGE  
 5 Deceased. )

6 On petition of the attorney of the personal representa-  
 7 tive, and it appearing to the Court that pursuant to a Decree  
 8 of Final Distribution, heretofore entered, the personal repre-  
 9 sentative has paid the remaining claims and expenses of adminis-  
 10 tration and has distributed the remaining estate property to the  
 11 persons in whom said property is vested, receipts therefor being  
 12 on file with the clerk of this court, it is

13 ORDERED that the personal representative of the above  
 14 estate is hereby discharged and that this estate is closed.

15 Dated this 11 day of February, 1974.

16 Mitchell Harman  
 17 Circuit Judge

FILED  
 FEB 11 9 33 AM '74

HARRY CHAPMAN  
 JACKSON COUNTY CLERK

BY Theresa Peterson

28 Order of Discharge  
 29  
 30  
 31  
 32

88 JUL 15 PM 1 15

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

2 In the Matter of the Estate )

NO: P-217-72

3 of )

DECREE OF FINAL DISTRIBUTION

4 ESTHER RUSCO, )

5 Deceased. )

6 )  
7 )  
8 The Personal Representative filed his Final Account on  
9 and the sole legatee under the Last Will and  
10 Testament having consented to the immediate entry of an Order  
11 of Distribution the Court finds that:

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

15 2. The Personal Representative has waived any claim for  
16 compensation for his services rendered.

17 3. Remaining unsatisfied claims and expenses of  
18 administration, are attorney's fees in the amount of \$541.00.

19 4. The remainder of the estate assets are distributable  
20 in accordance with the decedent's Last Will and Testament to  
21 Kermit Lee Rusco, son, 696 Siskiyou Boulevard, Ashland, Oregon.

22 5. The sole Devisee has waived notice of time and/or  
23 opportunity to file objections to the Final Account and Petition  
24 for Decree of Final Distribution, as appears from the files herein,  
25 and has consented to the immediate entry of the Decree of Final  
26 Distribution.

27 IT IS ORDERED AND DECREED:

28 (1) The Final Account is approved.

29 (2) The Personal Representative is directed to pay to  
30 Richard C. Cottle, as Attorney for the estate, the sum of \$541.00.

31 1 - Decree of Final Distribution  
32

(3) The Personal Representative is directed to make distribution of the remaining estate property to Kermit Lee Rusco, 696 Siskiyou Boulevard, Ashland, Oregon, and said property is hereby vested in said person.

Dated April 23, 1973.

*William M. Hansen*  
Circuit Judge

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'73 APR 23 PM 4:56

HARRY CHILMAN  
JACKSON COUNTY CLERK  
DOCKETED BY *Leona Peterson*

2 - Decree of Final Distribution



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

2 In the Matter of the Estate )  
 3 of )  
 4 ESTHER RUSCO, )  
 5 Deceased. )  
 6 )  
 7 )

NO: P-217-72

INVENTORY

8 I hereby certify that attached hereto is a complete  
 9 inventory of all the property of the estate that has come  
 10 into my possession of knowledge, with my estimate of the  
 11 respective true cash values of the property as of the date  
 12 of death of the decedent.

13 Dated January 24, 1973.

14 *Kermit Lee Rusco*  
 15 Kermit Lee Rusco, Personal Representative  
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31 Inventory  
 32

Estate of Esther Rusco, deceased

Probate No. P-217-72

## Inventory Descriptive Sheet

Vendor's interest in Contract of Sale dated May 14, 1965, whereunder Esther Rusco is the Seller and Richard M. Kowalis and Betty J. Kowalis, husband and wife are the Purchasers, of the following described real property:

The Southerly 40 feet of Lots 1, 2, 3 and 4; and the Southerly 83 feet of Lots 5 and 6, all in Block 8 of ST. FRANCIS PARK, according to the Official plat thereof on file in the Records of Klamath County, Oregon.  
(This contract is being held in escrow at First Federal Savings & Loan Association, Klamath Falls, Oregon.

Unpaid balance of Contract . . . . .  
Payable at the rate of \$1,000 per year, plus . . . \$2,960.00  
interest at 4%, due June 15th annually.

Estate of Esther Rusco  
Probate #P-217-72

Inventory Descriptive Sheet '73 JAN 26 PM 12:57

RECEIVED-FILED

HARRY CHILMAN  
JACKSON COUNTY CLERK  
DOCKETED BY*Leslie Peterson*COTTLE & HOWSER  
53 NORTH 2ND STREET  
BOX 627  
ASHLAND, OREGON 97520

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY  
 2 In the Matter of the Estate )  
 3 of ) NO: P- 217- 72  
 4 ESTHER RUSCO, )  
 5 )  
 6 Deceased. )  
 7 )

AFFIDAVIT OF ATTESTING WITNESS TO WILL

8 STATE OF OREGON )  
 9 County of Jackson ) ss.

10 I, the undersigned, being sworn, depose and say:  
 11

12 On the date of the attached Will of Esther Rusco, in  
 13 my presence, said Esther Rusco signed the same and declared it  
 14 to be her Last Will, whereupon, at her request, in her presence  
 15 I attested the Will by signing my name thereto.

16 To the best of my knowledge and belief, the testatrix was,  
 17 at that time, over the age of 18 years and of sound mind.

18 Subscribed and sworn to by the affiant above named this  
 19 29 day of August, 1972.

20 *Betty L. Adams*  
 21 *Richard C. Cottle*  
 22 Notary Public for Oregon  
 23 My commission expires: *Aug 3, 1974*

24 RECEIVED

25 1972 AUG 29 PM 3 26

26 JAMES  
 27 JACKSON  
 28 POST

29 *Heaven Peterson*

30 Affidavit of Attesting Witness to Will  
 31  
 32

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

2 In the Matter of the Estate )

NO: P- 217-72

3 of )

4 ESTHER RUSCO, )

5 Deceased. )

) AFFIDAVIT OF ATTESTING WITNESS TO WILL

6 )

7 STATE OF OREGON )

8 County of Jackson ) ss.

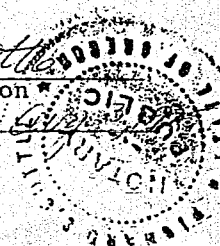
9 I, the undersigned, being sworn, depose and say:

10 On the date of the attached Will of Esther Rusco, in  
11 my presence, said Esther Rusco signed the same and declared it  
12 to be her Last Will, whereupon, at her request, in her presence  
13 I attested the Will by signing my name thereto.

14 To the best of my knowledge and belief, the testatrix was,  
15 at that time, over the age of 18 years and of sound mind.

16  
17 Richard C. Cottle  
18 Subscribed and sworn to by the affiant above named this  
19 29 day of August, 1972.

20 Notary Public for Oregon  
21 My commission expires: August 1978



22 RECEIVED

23 AUG 29 1972

24 JACKSON COUNTY  
25 CLERK

26 Lorna Petersen

27 Affidavit of Attesting Witness to Will



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LAST WILL AND TESTAMENT  
OF  
ESTHER RUSCO

P217-72

I, ESTHER RUSCO, hereby revoke my former Wills and hereby declare this to be my Last Will:

I.

I direct that my Executor, hereinafter named, pay all my just debts, the expense of my last illness and funeral and the administration of my estate as soon after my death as can conveniently be done.

II.

All the rest, residue and remainder of my estate, real, personal or mixed of whatsoever nature and wheresoever situated of which I die possessed or may be entitled to at the time of my death, I give, devise and bequeath unto my son, KERMIT LEE RUSCO; PROVIDED, that in the event he predeceased me, dies in a common disaster with me, or dies within thirty (30) days from the date of my death, then all the rest, residue and remainder, I give and bequeath unto my granddaughter, MARY LOU KITCHING, per stirpes.

III.

For the purpose of this, my Last Will and Testament, I declare that my sole and only heir-at-law at this time is my son, KERMIT LEE RUSCO, and I make no bequests or devises to my heir-at-law, except as herein mentioned.

LAST

I hereby nominate, constitute and appoint my son, KERMIT LEE RUSCO, Executor of this, my Last Will and Testament, he to serve without bond. Should he for any reason be unable to serve,

1 - Will of Esther Rusco

Esther Rusco

RICHARD C. COTTLE  
370 LITHIA WAY  
BOX 627  
ASHLAND, OREGON 97520



I nominate, constitute and appoint RICHARD C. COTTLE, as Alternate Executor of this, my Last Will and Testament, he also to serve without bond. My Executor shall have full power to sell, exchange, mortgage or lease any or all of the property of my estate, to vote any corporate stock and to exercise all powers incident thereto; manage and operate any and all businesses I may own or have an interest in at the time of my death, as fully and to all intents and purposes as I might have had I lived, and such sale or sales, or other dealings in any of the property of my estate may be made by my Executor without petition to or Order of Court, or to supply additional bond, citation, notice, publication, approval or confirmation thereof, and such sale or sales or other dealings may be at public or private sale or transaction for cash or credit, or part cash and part credit, at such times and places and upon such terms and conditions as my Executor may deem desirable, expedient or necessary.

Done at Ashland, Oregon, this 6<sup>th</sup> day of February 1968.

Esther Rusco

On this 6<sup>th</sup> day of February 1968, the foregoing instrument, consisting of two (2) pages, including this page on which our signatures appear, was by the said ESTHER RUSCO, in our presence signed, sealed, published and declared as and for her Last Will and Testament, and we, at her request, in her presence, and in the presence of each other, have hereto subscribed our names as witnesses thereto.

Betty L. Adams, residing at Talent, Oregon  
Patsy S. Ward, residing at Medford, Oregon

2 - Will of Esther Rusco

Esther Rusco

RICHARD C. COTTLE  
 370 LITHIA WAY  
 BOX 627  
 ASHLAND, OREGON 97520

STATE OF OREGON, ss.  
 County of Klamath

Filed for record at request of:

Mountain Title Co.

on this 15th day of July A.D. 1988  
 at 1:15 o'clock P.M. and duly recorded  
 in Vol. M88 of Deeds Page 11241  
 Evelyn Biehn County Clerk  
 By Cauline Bullen

Fee \$48.00

Deputy.