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Vol. m88 Page 13451

FILEDATO'CLOCK.....M
JUN 22 1978Michael L. Terry, Court Administrator
Circuit Court for Lane County Oregon
BY Clifford Lee Sorensen DEPUTY

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LANE COUNTY
2 IN THE MATTER OF THE ESTATE)
3 OF)
4 VIOLA S. CASEBIER,)
5 Deceased.)

Case No. 22874 (18)
ORDER APPROVING FINAL ACCOUNT
AND DECREE OF FINAL DISTRIBUTION

6 The personal representative filed his final account on June 22nd
7 1978. Filed with the account was the consent of devisee, Calvin LeRoy
8 Casebier, that the final account be approved and Final Decree of
9 Distribution entered as therein prayed for.

10 The Court finds that:

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

14 2. The personal representative waives compensation for his
15 services.

16 3. Remaining expenses of administration, including reasonable
17 attorney's fees, are:

18 Attorney's fees of \$3,500.00, of which \$1,500.00 has been
19 paid.

20 Miscellaneous costs of final closing consisting of
21 transferring contracts estimated to be \$200.00.

22 4. The remainder of the estate assets after payment of expenses
23 set forth above is vested in the following persons pursuant to agree-
24 ment approved by this Court:

25 Clifford Lee Sorensen, undivided one-half interest
26 Calvin LeRoy Casebier, undivided one-half interest
in and to:

a. Cash

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Final Distribution

\$4,679.51

REEL 129 PAGE 1067

STARR & VINSON
ATTORNEYS AT LAW
FAR WEST FEDERAL PLAZA - BRIDGWAY & OAK
50 E. PROGRESSWAY, SUITE 8
EUGENE, OREGON 97401
(503) 484-7080
AUG 19 PM 12:17

- 1 b. Land Sale Contract dated December 9, 1975 between
2 Viola S. Casebier as seller and Wayne B. Malotte
3 and Goldie A. Malotte, husband and wife, as buyers,
4 covering

5 Lots 1, 2, 3, 4, 5, 6, 18, 19, 20, 21 and 22, in
6 Block 3, Town of Midland, Klamath Falls, Oregon,
7 together with vacated alley adjacent thereto by
8 order of vacation in Vol. 289, Page 469, February, 1956.

9 Subject to easement for existing public utilities in
10 vacated alley.

11 in the original amount of \$30,000.00 on which there
12 is a balance due of \$24,624.88 together with interest
13 at the rate of 8% per annum from June 1, 1978
14 payable at the rate of \$250.00 per month including
15 interest.

- 16 c. Land Sale Contract dated August 24, 1977, between
17 Clifford Lee Sorensen, personal representative of
18 the estate of Viola S. Casebier, deceased, as seller,
19 and Charles A. Butler and Marylee Butler, his wife,
20 as buyers, covering the following described real
21 property, to-wit:

22 Lots 23 and 24, in Block 6 of Midland, according
23 to the official plat thereof on file in the office
24 of the County Clerk of Klamath County, Oregon.

25 in the original amount of \$6,500.00 on which there
26 is a balance due of \$5,200.00 together with interest
at the rate of 9% per annum from August 24, 1977,
payable at the rate of \$1,000.00 annually including
interest.

- d. Land Sale Contract dated April 1, 1961, between Viola
S. Casebier and H. C. Casebier, wife and husband, as
first party, and Earl A. Littrell and Jane R. Littrell,
husband and wife, and Joe Kirkley and Nina Jo Kirkley,
husband and wife, as second party, covering the
following described real property, to-wit:

All that portion of Lot Nine (9) lying easterly of U.S.
Highway 97, and all of Lots Ten (10), and Eleven (11),
Twelve (12), Thirteen (13), Fourteen (14), and Fifteen
(15) in Block Five (5) of Midland, Oregon, according
to the duly recorded plat thereof on file in the
office of the County Clerk of Klamath County, Oregon.

///

1 in the original amount of \$22,500.00 payable \$3,000.00
 2 down and the balance at the rate of \$100.00 per
 3 month including interest at the rate of 6% per annum
 4 on which there is a balance due of \$17,857.60,
 5 plus interest from June 10, 1978.

6 e. Lots 28, 29, 30, 31, 32 and 33, all in Block 4,
 7 Midland, Klamath County, Oregon.

8 f. Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 in Block 2 of
 9 Midland, according to the duly recorded plat thereof
 10 on file in Klamath County, Oregon, excepting that
 11 portion contained in the Dalles-California Highway
 12 as described in deed recorded September 10, 1934 on
 13 page 478 of Vol. 103 of Deed Records of Klamath
 14 County, Oregon.

15 5. On May 10, 1978, the heirs and devisees herein entered into
 16 an agreement which was submitted with the final account filed herein,
 17 wherein the parties agreed that the assets remaining on hand in said
 18 estate be divided equally between them, pursuant to the terms of the
 19 Last Will and Testament of decedent, disregarding the difference of
 20 \$3,175.00 between the cash advanced by decedent to Clifford Lee
 21 Sorensen of \$8,175.00 and the cash advanced by decedent to Calvin
 22 LeRoy Casebier of \$5,000.00.

23 6. The final account heretofore filed contains the consent of
 24 devisee, Calvin LeRoy Casebier, that the final account be approved.

25 7. The final account should be approved.

26 IT IS ORDERED AND DECREED:

1. The final account is approved.

2. The Personal Representative is directed to pay the remaining
 expenses of closing as set forth above.

3. The Personal Representative is allowed the sum of \$3,500.00
 as attorneys fees, \$1,500.00 of which has been paid.

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 Final Distribution

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4. The Personal Representative is directed to make distribution of the remaining estate property to the persons and in the amounts set forth in paragraph 4 above, and said property is hereby vested in said persons in the amounts set forth.

5. All other property not now known or discovered or not herein set forth in which decedent or her estate may have or may hereafter acquire any interest is hereby distributed as set forth in paragraph 4. above.

DATED this 22nd day of June, 1978.

[Signature]
Circuit Judge

CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL DOCUMENT CONSISTING OF 4 PAGES, WHICH IS FILED IN THIS OFFICE AND OF WHICH I AM THE LEGAL CUSTODIAN

DATED Aug. 13, 88
By [Signature]
County Clerk

Page 4 - Order Approving Final Account and Decree of Final Distribution

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co.
of Aug. A.D. 19 88 at 12:17 o'clock P.M., and duly recorded in Vol. M88
of Deeds on Page 13451

FEE \$23.00

Evelyn Biehn
By [Signature] County Clerk

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