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FILED

POLK COUNTY, OREGON
1989 Sep -1 Am 1004

IN THE CIRCUIT COURT OF THE STATE OF OREGON

Trial Court Administrator

By: DA

Ent'd Comp. _____

FOR POLK COUNTY

Probate Department

In the Matter of the Estate of)	Case No. 89P-4007
)	
VIOLA HILL,	DECREE ALLOWING FINAL
)	ACCOUNT AND DIRECTING
Deceased.	DISTRIBUTION
)	

This matter comes before the Court upon the personal representative's Final Account filed herein on August 7, 1989. It appearing to the Court that copies of said Final Account, with Notice of Time for Filing Objections thereto, were duly served upon the heirs and devisees entitled thereto; and that no objections have been filed and the time for filing such objections has passed the Court finds as follows:

That Viola Hill died at Dallas, Polk County, Oregon, on the 26th day of January, 1989, at the age of 78 years, being at and immediately prior to her death a resident and inhabitant of and owning property in Polk County, Oregon, and leaving estate and assets therein; that the decedent left surviving her as her next of kin and only heirs at law six daughters and three sons, whose names, relationship to the deceased, ages and post office addresses are as follows:

1. Theona I. Botts, a daughter, of legal age, whose post office address is 392 Kings Valley Highway, Dallas, Oregon 97338;
2. Tessie I. Pozar, a daughter, of legal age, whose post office address is unknown;
3. Thelma I. Willging, a daughter, of legal age, whose post office address is 2220 W. Hatton Road, Othello, Washington 99344;

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4. Theda I. Ward, a daughter, of legal age, whose post office address is 5886 Wright Avenue, LaPine, Oregon 97739;
5. Lawrence L. Hill, a son, of legal age, whose post office address is P.O. Box 3319, Milan, New Mexico 87021;
6. George E. Hill, a son, of legal age, whose post office address is P.O. Box 2391, Clear Lake Highlands, California 95422;
7. Thaylis I. Thacker, formerly known as Thaylis I. Hill, a daughter, of legal age, whose post office address is Rt. 3, Box 3115, E. Wenatchee, Washington 98801;
8. Gene E. Hill, a son, of legal age, whose post office address is P.O. Box 286, Christmas Valley, Oregon 97641; and
9. Ina Lisa Rose Hill, formerly known as Ina Lisa Rose Kundert, a daughter, of legal age, whose post office address is 16 124th St., SW No. 2, Everett, Washington 98208.

That the decedent left a will dated and executed May 22, 1985, which, with due proof of execution, was admitted to probate by order of the Court on January 30, 1989; that Theona I. Botts is named in said will as the personal representative thereof; that on January 30, 1989, Theona I. Botts was appointed personal representative of said will and estate by the Court, to serve without bond; that letters testamentary thereupon issued to her and are still in full force and effect.

That the only devisees named and provided for under the will of the deceased are the following:

1. Theona I. Botts, a daughter, of legal age, whose post office address is 392 Kings Valley Highway, Dallas, Oregon 97338;

2. Thelma I. Willging, a daughter, of legal age, whose post office address is 2220 W. Hatton Road, Othello, Washington 99344;
3. Theda I. Ward, a daughter, of legal age, whose post office address is 5886 Wright Avenue, LaPine, Oregon 97739;
4. Lawrence L. Hill, a son, of legal age, whose post office address is P.O. Box 3319, Milan, New Mexico 87021;
5. George E. Hill, a son, of legal age, whose post office address is P.O. Box 2391, Clear Lake Highlands, California 95422;
6. Thaylis I. Thacker, formerly known as Thaylis I. Hill, a daughter, of legal age, whose post office address is Rt. 3, Box 3115, E. Wenatchee, Washington 98801;
7. Gene E. Hill, a son, of legal age, whose post office address is P.O. Box 286, Christmas Valley, Oregon 97641; and
8. Ina Lisa Rose Hill, formerly known as Ina Lisa Rose Kundert, a daughter, of legal age, whose post office address is 16 124th St., SW No. 2, Everett, Washington 98208.

And it further appearing to the Court that immediately upon her appointment as personal representative, Theona I. Botts caused to be mailed to each heir and devisee of the deceased information concerning the decedent's estate, the admission of her will to probate and the appointment of a personal representative and her attorneys of record in this matter; that a true copy of such information with due proof of mailing was filed with the Clerk of the Court within 30 days from and after the appointment of said personal representative;

That thereafter, the personal representative gave notice to interested persons by publication in the Polk County Decree Allowing Final Account and Directing Distribution - 3

Itemizer-Observer, a qualified newspaper of general circulation, printed and published at Dallas, Polk County, Oregon, requiring all persons having claims against the estate to present them, with the proper vouchers, within four months from the date of first publication of notice, that being, February 8, 1989, to the personal representative's attorney at P.O. Box 105, Dallas, Oregon 97338; that said notice was published once a week for three successive weeks, and a copy thereof, with due proof of publication, is now on file with the Clerk of the Court;

And it further appearing to the Court that as appears by the inventory on file herein, the true cash value of the decedent's estate, consisting of real and personal property is \$10,183.37.

That all necessary and requisite income tax returns for the decedent and her estate have been filed and all taxes payable from the estate have been fully satisfied; that the Oregon Department of Revenue has issued its Certificate of Release as to such income tax liability to the State of Oregon, which certificate is now on file with the Clerk of the Court;

During the course of administration the personal representative has distributed and disposed of all of the personal property of the decedent in a manner to which those persons named as devisees thereof in paragraph II, III, IV and V of decedent's last will and testament agreed.

And it further appearing to the Court that the personal representative has received the sum of \$7,525.05 in money for and on account of said estate and has disbursed therefrom the sum of \$6,651.82 in payment of debts, charges, claims against the estate pursuant to Court order, leaving a balance on hand of \$873.23; that all debts of the deceased, all taxes, including inheritance, income and personal property taxes, if any, all expenses of administration and all other known, lawful claims against the estate have been fully paid, satisfied and discharged, except the following:

1. Shetterly, Irick, Shetterly & Mannenbach, attorneys for personal representative, for reimbursement of expenses: Polk County Trial Court Clerk filing fee and certified copies \$94.25, Polk County Itemizer-Observer, publication expense \$71.96, Klamath County Recorder, recording fee, \$8.00, photocopy expense, \$5.00 or \$179.21 and to fee of said attorneys in probated estate \$694.02 as set forth in the Certificate of Attorney Fees herein ----- \$ 873.23
- Total Claims ----- \$ 873.23

That the only remaining property in the hands of the personal representative consists of the following:

1. Real property described as follows:

Lot 34, Block 4 in Tract 1060
Sun Forest Estates according to
the official plat thereof on file
in the office of the County Clerk
of Klamath County, Oregon

Klamath County Assessor's true
cash value:

Land -----	\$ 5,610	
Improvements -----	270	
	\$ 5,880	\$ 5,880.00

2. Cash on hand as follows:

Moneys on hand to credit of personal
representative at Security Pacific
Bank Oregon, Dallas Branch, Dallas,
Oregon, Checking Account No. 24232520

 873.23

Total Assets on Hand ----- \$ 6,753.23

And it further appearing to the Court that nothing remains to be done except to pay the claims as hereinabove set forth and distribute the property of the estate remaining on hand and available for distribution; that after payment of the claims as set forth hereinabove, the remaining property should be distributed to the devisee entitled thereto, pursuant to Paragraph II of the will of decedent as follows:

1. To GENE E. HILL the following described real property

Lot 34, Block 4 in Tract 1060 Sun Forest
Estates according to the official plat
thereof on file in the office of the
County Clerk of Klamath County, Oregon

It is, therefore, hereby ORDERED and DECREED by the Court:

1. That the final account of the personal representative be and it is hereby approved in whole;

2. That the personal representative is directed to pay the remaining claims and expenses of administration as set forth above, including attorneys' costs in the sum of \$179.21 and attorney fees in the sum of \$694.02 as just and reasonable costs and compensation for their services herein; and

3. That the personal representative is directed to make distribution of the remaining property of the estate to the

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devisees entitled thereto pursuant to the will of the deceased
as hereinabove set forth.

DATED this 1st day of September, 1989.

/s/ WILLIAM M. HORNER
CIRCUIT COURT JUDGE

SUBMITTED BY:
LANE P. SHETTERLY - OSB #81372
SHETTERLY, IRICK, SHETTERLY & MANNENBACH
Attorneys for Personal Representative
P.O. Box 105
Dallas, Oregon 97338
Telephone: 623-6695

PERSONAL REPRESENTATIVE:
THEONA I. BOTTS
392 Kings Valley Highway
Dallas, Oregon 97338
Telephone: 623-6240

Certified A True & Correct
Copy of the Original on file
herein

CANDIA L. RICH,
Trial Court Clerk

By *Pauline Mueller*

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Gene Hill the 20th day
of Oct. A.D., 1989 at 9:08 o'clock A M., and duly recorded in Vol. M89,
of Deeds on Page 19989.
Evelyn Biehn, County Clerk
By *Pauline Mueller*

FEE \$38.00

Return: Gene Hill
P.O. Box 761
LaPine, Or. 97739

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