

11800

Vol 190 Page 3742

(SPACE BELOW FOR FILING STAMP ONLY)
AT 3:00 O'CLOCK P.M.

AUG 31 1989

RECEIVED

HARMS, HAROLD & LEAHY
ATTORNEYS AT LAW
SUITE D, 223 NORTH "A"
SPRINGFIELD, OREGON
PHONE 746-9621

AUG 25 1989

CIRCUIT COURT, LANE CO.

ASPEND 34739

Circuit Court for Lane County Oregon
Charles Watson

4 Attorneys for Estate
5 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LANE COUNTY
6 In the Matter of the Estate) In Probate
7 of) File No. 50-88-10555 (14)
8 WILLIAM A. BABCOCK,)
9 Deceased.)
10

11 The Personal Representative filed his Final Account on
12 August 21, 1989, and the time for filing objections having been
13 waived and Consents filed, the Court finds:

14 (1) All Oregon income, inheritance and personal property
15 taxes have been paid and receipts, releases and clearances, as
16 appropriate, have been filed herein if required.

17 (2) The remaining unsatisfied claims and expenses of
18 administration, including reasonable attorney's fees are:

19 Attorneys fees and estimated costs of \$4,598.00
20 closing to Harms, Harold & Leahy

21 (3) The estate's assets, as listed on Exhibit "A"
22 attached hereto, is vested in the following legatees and
23 devisees of the will of the decedent as follows:

24 William A. Babcock, Jr.
25 2920 Salish Court
26 Missoula, Montana 59801

- 1) All tangible personal property
- 2) 3/4 of real property and choses in action (Para. "THIRD", Will)

Christopher Wills
85161 Appletree Drive
Eugene, Oregon 97401

1) 1/4 of real property
and choses in action
(Para. "THIRD", Will)

Said distributive share for each of the devisees consists solely of the property listed on Exhibit "A", in cash and in kind.

(4) The Consents and Waivers of Notice of William A. Babcock, Jr. and Christopher Wills are filed herewith.

IT IS HEREBY ORDERED AND DECREED:

(1) The Personal Representative is directed to pay the remaining claims and expenses of administration as set forth above; specifically, he is authorized and ordered to pay to HARMS, HAROLD & LEAHY, Attorneys at Law, as reasonable attorney's fees and costs of closing, the sum of \$4,598.00 in accordance with the agreement between counsel and the Personal Representative.

(2) The Final Account is hereby approved.

(3) The Personal Representative is further directed to make distribution of the remaining estate property, in kind, to William A. Babcock, Jr. and Christopher Wills, the legatees and devisees under the will of the decedent, said property being listed in Exhibit "A" attached hereto.

DATED this 31st day of August, 1989.

J. Gordon Cottle
Circuit Judge

Exhibit "A"
Estate of William A. Babcock
Lane County Probate No. 50-88-10555

CASH AND SECURITIES

On Hand at 7-7-89 (Reconciled to Inventory)

1) Checking Account, USNB #041-0103-733	\$ 3,961.50
2) Savings Account, USNB #041-6032-019-2	
1-3-89 Escrow proceeds sale - 336 N. 6th, per Inventory	\$14,639.49
3-31-89 Interest on account	174.47
4-3-89 Received Note receivable secured by above property (w/o interest); Payors: Douglas B. Saxe and Sue A. Cooper	18,000.00
6-30-89 Interest on account	401.65
6-30-89 BALANCE OF ACCOUNT	\$33,215.61
3) Williamsburg Savings Bank CD #26-300076-17 (Reinvested proceeds at maturity less charge of \$15.53 of CD #26-310094-14 - \$21,000)	20,984.47
TOTAL CASH ON HAND 7-7-89 (expenses not deducted)	\$58,161.58

Note Receivable; Arthur I. Dahl, Jr., John Richard
Dahl and Christopher E. Dahl, dba Dahl Brothers,
Payor; secured by Mortgage recorded as Instrument
No. 699651 in Book 211 of Mortgages, Page 1518 in
Twin Falls County, Idaho, covering real property
located in such Twin Falls County, and described
with particularity therein, payable in installments
of \$568.79, with interest therein at 8% per annum
as of 7-1-89

#157 (July) payment made 36,163.90

0.3812 Seller's interest in Land Sale Contract dated January 28, 1980 wherein Roland A. Matott and AdaBelle Matott, husband and wife, William A. Babcock and Davis R. Hobbs were Sellers, and Robert C. King was Purchaser, payable \$200.00 per month, including interest at ten percent per annum until 2-1-90, at which time it will be paid in full, with total contract balance as of 7-1-89 of \$9,156.96

Value estate's .3812 share:

3,490.63

0.50 Seller's interest in 2nd Addendum to above contract having total principal balance of \$5,444.10 (including accrued interest to 7-1-89 - 10%)

2,722.05

(Subtotal of above assets - \$42,376.58)

TOTAL CHOSSES IN ACTION AND REAL PROPERTY

\$100,538.16

TANGIBLE PERSONAL PROPERTY

238 Shares Common Stock, Certificate No. 23; 937.5 Shares, Certificate No. 22; \$1.00 par common stock Charley B. Hudson & Associates Inc., a Nevada corporation, value of

0.00

62 Shares Common Stock, Valley West Bancorp (Certificate No. 1768 - 57 Shares; Certificate No. 2922 - 5 Shares), at \$5.00

320.00

Stock Dividend 3-15-89, 6 Shares Common Stock, Valley West Bancorp (Certificate No. 3577), at \$5.00

30.00

Books and Paintings

4,000.00

Household furnishings

2,000.00

Total Tangible Personal Property

\$ 6,350.00

TOTAL PROPERTY HELD BY PERSONAL REPRESENTATIVE

\$106,888.16

DIVISION/DISTRIBUTION (ALL SPECIFIC DEVICES)

TO: WILLIAM A. BABCOCK, JR.

Tangible Personal Property Per Exhibit "B" \$ 6,350.00

Value 3/4 Real Property and Choses in Action
(.75 x 100,538.16) 75,403.62

TOTAL SHARE \$81,753.62

TO: CHRISTOPHER WILLS

1/4 Real Property and Choses in Action
(.25 x 100,538.16) \$25,134.54Proportionate Total to William A. Babcock .765% (.7648519)Proportionate Total to Christopher Wills .235%Cash on Hand

\$58,161.58

Less Attorney Fees (\$4,498.00)

Estimated Closing Costs -
copies/records 100.00

Total Expenses: 4,598.00

BALANCE CASH FOR DISTRIBUTION \$54,063.58

Shares of expenses apportioned to William
A. Babcock, Jr. (.765 x 4,598.00)

3,517.47

Share of expenses apportioned to Christopher
Wills (.235 x 4,598.00)

1,080.53

Value William A. Babcock, Jr. Share - \$81,753.62

Less Share of Expenses -

3,517.47

TOTAL SHARE -

 \$78,236.15

Assets to Share as follows:

Tangible Personal Property

\$ 6,350.00

3/4 Receivables

 31,782.43

\$38,132.43

Cash - 3/4 Less Share of Expenses

\$43,621.19

(.765 x \$4,598)

 (3,517.47)

Total Cash Distributed

 \$40,103.72

TOTAL VALUE DISTRIBUTED SHARE

 \$78,236.15

Christopher Wills 1/4 Receivable

\$10,594.15

Christopher Wills Cash Share - \$14,540.39

Less Share of Expenses

(.235 x \$4,598)

 (1,080.53)

Total Cash Distributed

 \$13,459.86

TOTAL VALUE DISTRIBUTED SHARE

 \$24,054.01

3748

For distribution to William A. Babcock, Jr.
For distribution to Christopher Wills

\$ 78,236.15
24,054.01

TOTAL DISTRIBUTION

\$102,290.16

On Hand

\$106,888.16

Less Expenses -

(4,598.00)

\$102,290.16

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

Aspen Title Co.

on this 27th day of Feb. A.D., 19 90
at 3:40 o'clock P.M. and duly recorded
in Vol. M90 of Deeds Page 3742

Evelyn Biehn

County Clerk

By

Pauline Millersdore

Deputy.

Fee, \$58.00

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

DATED

Circuit Court

Lane County, Oregon

By

Shirley J. Miller

EXHIBIT "A" TO DECREE OF FINAL DISTRIBUTION - 5 -

Return: A.T.C.