

FILED
CLALLAM COUNTY

NOV 09 2021

NIKKI BOTNEN CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLALLAM

In re the Estates of:

RICHARD HARRY LONBORG and
EDYTHE MUSETTE LONBORG,

Deceased.

Case No. 21 4 00456 05

**JOINT PETITION FOR
PROBATE OF WILL,
APPOINTMENT OF PERSONAL
REPRESENTATIVE, AND
ORDER GRANTING
NONINTERVENTION POWERS
(RCW 11.20.020 and RCW
11.68.011)**

1. **Decedents.** RICHARD HARRY LONBORG and EDYTHE MUSETTE LONBORG, husband and wife, (the decedents) were both residents of Sequim, Clallam County, Washington. Richard Harry Lonborg ("Richard") died on February 21, 2011. Edythe Musette Lonborg ("Edythe") died on September 20, 2021. They owned property in Sequim, Clallam County, Washington which is subject to probate.

2. **Will.** Both decedents, Richard and Edythe left a document purporting to be their Last Will and Testament ("Decedents' Will") which were both executed on November 11, 2010, in the presence of competent witnesses. Decedents were legally competent to execute their Will. Richard's Will nominated and appointed his wife, Edythe Musette Lonborg to act as Personal representative and his daughter, Pamela

COPY

1 Marie Hitter to act as alternate Personal Representative without bond. Edythe's Will
2 nominated and appointed Pamela Marie Hitter to act as Personal Representative.
3 The original of the decedents' Wills were filed in Clallam County Superior Court, Case
4 No. 21 4 00367 05, conformed copies are attached.

5
6 3. **Petitioner.** Petitioner, **PAMELA MARIE HITTER**, is a resident of
7 Sequim, Clallam County, Washington, is the daughter of the decedents, was not
8 creditor of the decedents at the time of their deaths, is named in decedents' Wills as
9 the Personal Representative and is qualified to act as Personal Representative.

10 4. **Heirs and Distributees.** The beneficiaries of the decedent and the
11 distributees under the decedent's Will whose names and addresses are known to
12 petitioner are as follows:

13 4.1 Pamela Marie Hitter, daughter, legal age
14 421 Dungeness Meadows
15 Sequim, WA 98382

16 4.2 Philip Sherdan Lonborg, son, legal age
17 18803 Hilt St. SW
18 Rochester, WA 98579

19 4.3 Gregory David Lonborg, son, legal age
20 204 South St.
21 Centralia, WA 98531

22 4.4 Debra Kay Thibault, daughter, legal age
23 13 Cedar Creek Rd
24 Oakville, WA 98568

25 4.5 Richard Harry Lonborg, son, legal age
26 20916 131st Ave. E
Graham, WA 98338

1 5. **Solvency of estate.** The decedents' estate is solvent, taking into
2 account probate and non-probate assets. Petitioner represents that decedents' estate
3 consists of real property and other assets, all of which assets are believed to exceed
4 \$100,000.00 in value. The known debts of the decedents are believed to be less than
5 \$10,000.
6

7 6. **Nonintervention powers.** Administration and settlement of the
8 decedents' Will and estate with nonintervention powers would be in the best interest
9 of the decedent's beneficiaries and creditors.

10 7. **Administration as Single Estate.** Petitioner requests authority to
11 administer both estates as a single probate action in the interest of efficiency and
12 cost-effectiveness, and in view of the presumption that the assets of both estates are
13 community property.
14

15 8. **Notice of hearing on petition.** Advance notice of the hearing on this
16 petition is not required based upon Petitioner being named as Personal
17 Representative in the decedents' Wills. RCW 11.68.041(1).

18 WHEREFORE, petitioner prays for an order of this Court as follows:

19 1. That decedents' Will be established as the Last Will and Testament of
20 decedent and admitted to probate;

21 2. That Petitioner be appointed as Personal Representative of the
22 decedents' joint estates, to act without bond;

23 3. That Petitioner be granted nonintervention powers entitling Petitioner
24 to administer and close the decedents' joint estates without further Court
25 intervention or supervision;
26

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2021 SEP 30 P 12:49

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Last Will and Testament

of

RICHARD HARRY LONBORG

21.4 00367 05

I, **RICHARD HARRY LONBORG**, a resident of Sequim, Clallam County, State of Washington, hereby declare this instrument to be my Last Will and Testament, hereby revoking any and all other Wills or Codicils by me at any time heretofore made.

ARTICLE I. IDENTIFICATION OF FAMILY

I am married to **EDYTHE MUsETTE LONBORG**. I have five children, namely: **PAMELA MARIE HITTER, PHILIP SHERDAN LONBORG, GREGORY DAVID LONBORG, DEBRA KAY THIBAUT AND RICHARD HARRY LONBORG JR.** I have no deceased children with living descendants surviving.

ARTICLE II. MEMORANDUM RE TANGIBLE NON-BUSINESS PERSONAL PROPERTY

I may have prepared a list pursuant to RCW 11.12.260, which I have signed and dated and which may be changed from time to time designating certain persons to be given certain items of tangible non-business personal property. This list is incorporated by reference into this Will and the disposition of said items is to be made according to said list. Any tangible non-business personal property not disposed of by such list, if any, shall become part of my residuary estate.

As used in this section "tangible non-business personal property" means articles of personal or household use or ornament, for example furniture, furnishings, automobiles, boats, airplanes, and jewelry, as well as precious metals in any tangible form, for example, bullion or coins. The term includes articles even if held for investment purposes and encompasses tangible property that is not real property. **The term does not include mobile homes or intangible property, for example, money that is normal currency or normal legal tender, evidences of indebtedness, bank accounts or other**

Law Office of
ELLEN DAVIS PLLC
13 N. 5th Ave, Ste A
P.O. Box 510
Sequim, WA 98382
Phone (360) 683-1129
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Record Certification: I Certify that the electronic copy is a correct copy of the original, on the date filed in this office, and was taken under the Clerk's direction and control.
Clallam County Clerk, by **DAM** Deputy #pages: **4**

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Initials

STATE OF WASHINGTON)
) ss
COUNTY OF CLALLAM)

The undersigned subscribing and attesting witnesses, each being duly sworn, on oath, depose and state:

1. Declaration. On the date below stated, Testator, RICHARD HARRY LONBORG, declared the attached instrument to be his Last Will and Testament.
2. Signature, Attestation and Subscription: Immediately following Testator's declaration, Testator signed and published such instrument as her Last Will and Testament, in the presence of each of the undersigned, and then each of the undersigned as witnesses, at Testator's request, subscribed our names thereto in the presence of Testator's and of each other.
3. Competency: At the time of Testator's declaration, signing and publication of the attached Last Will and Testament, Testator appeared to be of legal age and sound and disposing mind and not to be acting under duress or undue influence of any person. Each of the other subscribing and attesting witnesses appeared to be competent and each of the undersigned states, for himself/herself, that he/she is now competent.
4. Testator's Request: After the above declaration, signature, attestation and subscription, Testator requested that each of the undersigned make this affidavit in proof of Testator's attached Last Will and Testament.

[Signature]
Witness

[Signature]
Witness

SUBSCRIBED AND SWORN to before me this 11th day of November 2010.



[Signature]
NOTARY PUBLIC in and for the State of
Washington, residing at Sequim
My Commission expires: 1 October 6, 2012

FILED
CLALLAM CO CLERK

2021 SEP 30 P 12:49

NIKKI BOTNEN

Last Will and Testament

of

EDYTHE MUSETTE LONBORG

21. 4 00367 05

I, **EDYTHE MUSETTE LONBORG**, a resident of Sequim, Clallam County, State of Washington, hereby declare this instrument to be my Last Will and Testament, hereby revoking any and all other Wills or Codicils by me at any time heretofore made.

ARTICLE I. IDENTIFICATION OF FAMILY

I am married to **RICHARD HARRY LONBORG**. I have five children, namely: **PAMELA MARIE HITTER, PHILIP SHERDAN LONBORG, GREGORY DAVID LONBORG, DEBRA KAY THIBAUT** and **RICHARD HARRY LONBORG JR.** I have no deceased children with living descendants surviving.

ARTICLE II. MEMORANDUM RE TANGIBLE NON-BUSINESS PERSONAL PROPERTY

I may have prepared a list pursuant to RCW 11.12.260, which I have signed and dated and which may be changed from time to time designating certain persons to be given certain items of tangible non-business personal property. This list is incorporated by reference into this Will and the disposition of said items is to be made according to said list. Any tangible non-business personal property not disposed of by such list, if any, shall become part of my residuary estate.

As used in this section "tangible non-business personal property" means articles of personal or household use or ornament, for example furniture, furnishings, automobiles, boats, airplanes, and jewelry, as well as precious metals in any tangible form, for example, bullion or coins. The term includes articles even if held for investment purposes and encompasses tangible property that is not real property. The term does not include mobile homes or intangible property, for example, money

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Clallam County Clerk, by DM Deputy #pages: 4

Page 1 of 4

Initials

that is normal currency or normal legal tender, evidences of indebtedness, bank accounts or other monetary deposits, documents of title, or securities.

**ARTICLE III.
DISPOSITION OF RESIDUE**

I give all the rest, residue and remainder of my estate to my husband, **RICHARD HARRY LONBORG**, provided he survives me. If my husband does not survive me, I give the rest, residue and remainder of my estate in equal shares to my children, namely: **PAMELA MARIE HITTER, PHILIP SHERDAN LONBORG, GREGORY DAVID LONBORG, DEBRA KAY THIBAUT** and **RICHARD HARRY LONBORG JR.**, or to their issue by right of representation.

**ARTICLE IV.
APPOINTMENT OF
PERSONAL REPRESENTATIVE**

A. I hereby nominate and appoint my daughter, **PAMELA MARIE HITTER**, to act as Personal Representative of my estate, to serve without bond in any jurisdiction. In the event my daughter, **PAMELA MARIE HITTER**, is for any reason unable or unwilling to act as Personal Representative hereof, I nominate and appoint my son, **GREGORY DAVID LONBORG**. Either my Personal Representative or my alternate Personal Representative shall administer my estate without intervention of any court and with all powers given by law, and with all powers given to a non-intervention Personal Representative by law and to a Trustee acting under RCW 11.98.080 or any amendments thereto.

B. My Personal Representative above named need not give bond, in any jurisdiction. My estate shall be administered by my above-named Personal Representative without the intervention of any court and with all powers granted herein and by law to a Personal Representative acting with non-intervention powers.

**ARTICLE VI.
APPORTIONMENT OF ESTATE TAXES**

I direct that all "tax" as the term is defined in RCW 83.110.010 be apportioned and paid as provided by Washington Uniform Estate Tax Apportionment Act (RCW 83.110, *et seq*).

**ARTICLE VII.
NON-PROBATE PROPERTY**

I understand that this Will does not dispose of property held in joint tenancy or of trust proceeds, life insurance, employee benefits, or other types of property where a specific beneficiary other than my estate has been designated.

**ARTICLE VIII.
GENERAL PROVISIONS**

A. All references to children, descendants or issue shall include adopted person or persons hereafter born unless the context requires otherwise, but shall not include step-children.

B. Unless some other meaning and intent is apparent from the context, the plural shall include the singular and vice versa, and masculine, feminine and neuter words shall be used interchangeably.

IN WITNESS WHEREOF, I have initialed for identification purposes all pages of this my Last Will and Testament and have executed the entire instrument by signing this page on the 11th day of NOVEMBER 2010, at Sequim, Washington.

Edythe M. Lonborg
EDYTHE MUSETTE LONBORG, Testatrix

The foregoing instrument was at the date hereof, by **EDYTHE MUSETTE LONBORG** declared to be her Last Will and Testament, in the presence of us, who at her request and in her presence and in the presence of each other have subscribed our names as witnesses hereto.

Ym Jm
Witness

Mary Davis
Witness

STATE OF WASHINGTON)
) ss
COUNTY OF CLALLAM)

The undersigned subscribing and attesting witnesses, each being duly sworn, on oath, depose and state:

1. Declaration. On the date below stated, Testatrix, **EDYTHE MUsETTE LONBORG**, declared the attached instrument to be her Last Will and Testament.

2. Signature, Attestation and Subscription: Immediately following Testatrix's declaration, Testatrix signed and published such instrument as her Last Will and Testament, in the presence of each of the undersigned, and then each of the undersigned as witnesses, at Testatrix's request, subscribed our names thereto in the presence of Testatrix's and of each other.

3. Competency: At the time of Testatrix's declaration, signing and publication of the attached Last Will and Testament, Testatrix appeared to be of legal age and sound and disposing mind and not to be acting under duress or undue influence of any person. Each of the other subscribing and attesting witnesses appeared to be competent and each of the undersigned states, for himself/herself, that he/she is now competent.

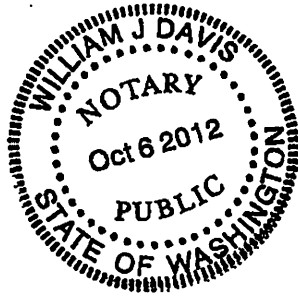
4. Testatrix's Request: After the above declaration, signature, attestation and subscription, Testatrix requested that each of the undersigned make this affidavit in proof of Testatrix's attached Last Will and Testament.



[Signature]
Witness

[Signature]
Witness

SUBSCRIBED AND SWORN to before me this 11th day of November, 2010.



William J. Davis
NOTARY PUBLIC in and for the State of
Washington, residing at Sequim
My Commission expires: October 6, 2012