

Date & Time Performed: Thu Oct 16 2014 05:35:29 AM PST
Search Title: 695198; 114042305 - WA Superior King County
File Order Number: 695198
Search Type: Case Number
Case Type: Probate

COURTRAX

WA - King County Superior Court Case #11-4-04230-5

SUMMARY	Records Located: Seattle	Title: PHYLLIS SUTTER PITTS
	Filed: 07 20 2011	Cause of Action: ESTATE
	Judgment: NO	Resolution: PERSONAL REPRESENTATIVE/GUARDIAN APPOINT
	Resolution Date: 07 20 2011	Completion: UNCONTESTED COMPLETION
	Completion Date: 06 04 2013	Case Status: COMPLETED/RE-COMPLETED
	Status Date: 06 04 2013	Court: KING COUNTY SUPERIOR COURT

NAMES	Total participants: 7		
	PITTS, PHYLLIS S	Relation to Case:	Deceased (DEC01)
		Deceased Date:	06 14 2011
	REKOW, KENNETH E	Relation to Case:	Withdrawn Guardian Ad Litem (WGA01)
	CHARLES, STUART D (PR)	Relation to Case:	Attorney (ATY01)
		Address:	ADDRESS NOT PROVIDED
	KANE, ALAN HENRY	Relation to Case:	Attorney (ATY02)
	Bar#:	206	
CHARLES, JENNA K (NTC)	Relation to Case:	Attorney (ATY03)	
CHARLES, OWEN S (NTC)	Relation to Case:	Attorney (ATY04)	
REKOW, KENNETH E	Relation to Case:	Attorney (ATY05)	
	Litigants:	ATY03,4	
	Represented Parties:	CHARLES, OWEN S (NTC) (ATY04) ; CHARLES, JENNA K (NTC) (ATY03)	
	Bar#:	2241	

ATTORNEYS	ALAN HENRY KANE	Address:	925 4th Ave Ste 2900 Seattle, WA 98104-1158
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		Data source:	Washington State BAR Association
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		Last Reported:	2014-02-05
		Status:	Active
		Fax Number:	(206) 682-7100
		Data source:	Washington State BAR Association
	CHARLES, OWEN S (NTC)	Address:	

DOCKET & DOCUMENTS

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Select	Doc	Date	Pages	Description
<input type="checkbox"/>	1	07/20/2011	7	PET PROB WILL FOR ORD SOLV&NONINTVN

<input type="checkbox"/>	2	07/20/2011	4	CASE INFORMATION COVER SHEET
<input type="checkbox"/>	3	07/20/2011	1	MOTION HEARING
<input type="checkbox"/>	4	07/20/2011	1	LETTERS TESTAMENTARY
<input checked="" type="checkbox"/>	5	07/20/2011	4	OR ADM WILL, APPT PR, ADJ SOLV, DIR AD STUART D CHARLES /BOND WAIVED
<input type="checkbox"/>	6	07/20/2011	1	NOTICE, APPT & PENDENCY OF PROBATE
<input type="checkbox"/>	7	07/20/2011	2	NOTICE TO CREDITORS
<input checked="" type="checkbox"/>	8	07/20/2011	6	LAST WILL & TESTAMENT
<input type="checkbox"/>	9	07/20/2011	9	AFFIDAVIT OF WITNESS
<input type="checkbox"/>	10	07/20/2011	9	AFFIDAVIT OF WITNESS
<input type="checkbox"/>	11	07/20/2011	2	OATH /STUART D CHARLES
<input type="checkbox"/>	12	07/25/2011	4	DECLARATION OF MAILING
<input type="checkbox"/>	13	07/25/2011	6	DECLARATION OF MAILING
<input type="checkbox"/>	14	07/27/2011	2	NOTICE OF APPEARANCE & OATH
<input type="checkbox"/>	15	07/27/2011	5	STATEMENT OF QUALIFICATIONS /GAL
<input type="checkbox"/>	16	07/27/2011	3	AFFIDAVIT/DCLR/CERT OF SERVICE
<input type="checkbox"/>	17	08/03/2011	5	NOTE FOR MOTION DOCKET
<input type="checkbox"/>	18	08/03/2011	7	PET DETERMINE BENEFICIARIES CLASS
<input type="checkbox"/>	19	08/03/2011	5	DECLARATION OF MAILING
<input type="checkbox"/>	20	08/16/2011	3	REQUEST FOR SPECIAL NOTICE
<input type="checkbox"/>	21	08/16/2011	3	AFFIDAVIT/DCLR/CERT OF SERVICE
<input type="checkbox"/>	22	08/26/2011	2	AFFIDAVIT OF PUBLICATION
<input type="checkbox"/>	22A	09/13/2011	1	MOTION HEARING
<input type="checkbox"/>	23	09/13/2011	3	ORDER DETERINIG BENEFICIATIES CLASS
<input type="checkbox"/>	24	10/13/2011	8	CREDITOR'S CLAIM
<input type="checkbox"/>	25	10/25/2011	5	NOTICE OF INTENT TO PAY ATTY FEES
<input type="checkbox"/>	26	10/25/2011	2	DECLARATION OF MAILING
<input type="checkbox"/>	27	11/15/2011	5	NOTICE OF INTENT TO PAY ATTY FEES
<input type="checkbox"/>	28	11/15/2011	2	DECLARATION OF MAILING
<input type="checkbox"/>	29	11/17/2011	2	CREDITOR'S CLAIM
<input type="checkbox"/>	30	12/01/2011	2	CREDITOR'S CLAIM
<input type="checkbox"/>	31	12/06/2011	5	NOTICE OF INTENT TO PAY ATTY FEES
<input type="checkbox"/>	32	12/06/2011	2	DECLARATION OF MAILING
<input type="checkbox"/>	33	12/06/2011	2	DECLARATION OF MAILING
<input type="checkbox"/>	34	01/31/2012	1	DECLINATION
<input type="checkbox"/>	35	02/06/2012	6	NOTICE INTENT PAY ATTYS FEES/COSTS
<input type="checkbox"/>	36	02/06/2012	2	DECLARATION OF MAILING
<input type="checkbox"/>	37	02/21/2012	5	NOTICE OF INTENT TO PAY ATTY FEES
<input type="checkbox"/>	38	02/21/2012	2	DECLARATION OF MAILING
<input type="checkbox"/>	39	03/20/2012	5	NOTICE OF INTENT TO PAY ATTY FEES
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<input type="checkbox"/>	41	04/11/2012	5	NOTICE OF INTENT TO PAY ATTY FEES
<input type="checkbox"/>	42	04/11/2012	2	DECLARATION OF MAILING

	43	06/07/2012	6	NOTE FOR MOTION DOCKET
	44	06/07/2012	28	PETITION TO APPROVE PR ACTIONS
	45	06/07/2012	6	DECLARATION OF MAILING
	46	06/12/2012	5	NOTICE OF INTENT TO PAY ATTY FEES
	47	06/12/2012	2	DECLARATION OF MAILING
	48	06/13/2012	4	NOTE FOR MOTION DOCKET
	49	06/13/2012	15	PETN FOR INTERIM GAL FEES
	50	06/13/2012	3	AFFIDAVIT/DCLR/CERT OF SERVICE
	51	06/28/2012	2	ORDER FOR COMPENSATION /GAL FEES
	52	06/28/2012	2	ORDER APPROVING PR ACTIONS
	53	06/28/2012	1	MOTION HEARING
	54	07/11/2012	2	RECEIPT(S)
	55	07/17/2012	5	NOTICE OF INTENT TO PAY ATTY FEES
	56	07/17/2012	2	DECLARATION OF MAILING
	57	08/02/2012	5	NOTICE OF INTENT TO PAY ATTY FEES
	58	08/02/2012	2	DECLARATION OF MAILING
	59	09/13/2012	5	NOTICE OF INTENT TO PAY ATTY FEES
	60	09/13/2012	2	DECLARATION OF MAILING
	61	09/21/2012	1	DECLINATION
	62	09/24/2012	1	DECLINATION
	63	10/04/2012	5	NOTICE INTENT TO PAY
	64	10/04/2012	2	DECLARATION OF MAILING
	65	11/07/2012	5	NOTICE OF INTENT TO PAY ATTY FEES
	66	11/07/2012	2	DECLARATION OF MAILING
	67	11/30/2012	2	PETITION FOR GAL FEES & COSTS
	68	11/30/2012	5	DECLARATION RE GAL FEES & COSTS
	69	11/30/2012	2	AFFIDAVIT/DCLR/CERT OF SERVICE
	70	12/11/2012	5	NOTICE OF INTENT TO PAY ATTY FEES
	71	12/11/2012	2	DECLARATION OF MAILING
	72	12/14/2012	9	PETITION TO APPROVE CUSTODIAN
	73	12/14/2012	2	ORDER APPOINTING CUSTODIAN FOR MINOR BENEFICIARIES /TERESA BEAN CHARLES
	74	01/10/2013	1	RECEIPT(S)
	75	01/10/2013	1	RECEIPT(S)
	76	02/20/2013	1	RECEIPT(S)
	77	02/20/2013	1	RECEIPT(S)
	78	02/20/2013	1	RECEIPT(S)
	79	02/20/2013	1	RECEIPT(S)
	80	02/20/2013	1	RECEIPT(S)
	81	02/20/2013	1	RECEIPT(S)
	82	02/20/2013	1	RECEIPT(S)
	83	02/20/2013	1	RECEIPT(S)

<input type="checkbox"/>	84	02/20/2013	1	RECEIPT(S)
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<input type="checkbox"/>	92	02/20/2013	1	RECEIPT(S)
<input type="checkbox"/>	93	02/20/2013	1	RECEIPT(S)
<input type="checkbox"/>	94	02/20/2013	1	RECEIPT(S)
<input type="checkbox"/>	95	02/20/2013	1	RECEIPT(S)
<input type="checkbox"/>	96	06/04/2013	2	DECLARATION OF STUART D CHARLES
<input type="checkbox"/>	97	06/04/2013	1	RECEIPT(S) / PRSNL REP
<input type="checkbox"/>	98	06/04/2013	1	RECEIPT(S) / ACCOUNTANT FEES
<input type="checkbox"/>	99	06/04/2013	1	RECEIPT(S) / ATTORNEY FEES
<input checked="" type="checkbox"/>	100	06/04/2013	3	DECLARATION OF COMPLETION

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11 JUL 20 AM 9:30

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

PRESENT IN PERSON

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

IN THE MATTER OF THE ESTATE

OF

PHYLLIS SUTTER PITTS,

Deceased.

11 No. 4 - 04230 - 5 SEA

ORDER PROBATING WILL,
CONFIRMING PERSONAL
REPRESENTATIVE, ADJUDGING
SOLVENCY, CONFIRMING
NONINTERVENTION POWERS,
AND APPOINTING GUARDIAN
AD LITEM
(Clerk's Action Required)

CLERK'S ACTION REQUIRED: Issue Letters Testamentary pursuant to paragraph 3.3 herein.

I. HEARING

1.1 **Date.** July 20, 2011.

1.2 **Purpose.** To establish and probate the document offered as the Will of PHYLLIS SUTTER PITTS, executed on January 28, 2010, and appoint a guardian ad litem for the minor beneficiaries.

1.3 **Appearance.** Appearance on behalf of the petitioner was made by Marla A. Pelowski, Senior Paralegal of K&L Gates LLP.

ORIGINAL

ORDER PROBATING WILL, CONFIRMING PERSONAL REPRESENTATIVE, ADJUDGING SOLVENCY, CONFIRMING NONINTERVENTION POWERS, AND APPOINTING GUARDIAN AD LITEM - 1

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TELEPHONE, (206) 623-7580
FACSIMILE, (206) 623-7022

1 1.4 **Evidence.** In addition to the verified petition and the offered Will,
2 testimony was given in the form of an affidavit affixed to the Will and certified by the
3 court.

4 II. FINDINGS

5 On the basis of the evidence, the Court finds:

6 2.1 **Jurisdiction.** Decedent, PHYLLIS SUTTER PITTS, died on June 14,
7 2011, at Bellevue, King County, Washington. Decedent was a resident of Bellevue, King
8 County, Washington, and left property in the state of Washington subject to probate.

9 2.2 **Competency.** Decedent was legally competent to execute the offered Will
10 on the date executed.

11 2.3 **Execution.** The offered Will was executed in the mode prescribed by law
12 and provides that the personal representative may serve with nonintervention powers and
13 without bond.

14 2.4 **Personal Representative.** The personal representative is named in the Will
15 as personal representative and is legally qualified to act as the personal representative of
16 this estate.

17 2.5. **Guardian ad Litem.** A guardian ad litem should be appointed to represent
18 the minor beneficiaries.

19 2.5 **Court's Certificate of Testimony.** The affidavit of subscribing witnesses
20 as filed herein were presented in open court this date and accepted as proof of the Will
21 pursuant to RCW 11.20.020.

22 2.6 **Solvency.** The assets of the estate exceed the claims that may be made
23 against it, and the estate is fully solvent.

24
25 ORDER PROBATING WILL, CONFIRMING PERSONAL
REPRESENTATIVE, ADJUDGING SOLVENCY,
CONFIRMING NONINTERVENTION POWERS, AND
APPOINTING GUARDIAN AD LITEM - 2

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II. ORDER

On the basis of the evidence and findings, it is ORDERED:

3.1 **Establishment.** The offered Will is established as the last Will of the decedent, PHYLLIS SUTTER PITTS.

3.2 **Probate.** The established Will is admitted to probate.

3.3 **Personal Representative.** STUART D. CHARLES is confirmed as the personal representative, and upon filing his oath shall be issued letters testamentary and/or a certificate of qualification and may serve without bond.

3.4 **Guardian ad Litem.** Kenneth Bekow, a person found or known to the court to be a suitable disinterested person, having the requisite training, knowledge, and expertise to perform the duties of guardian ad litem, is hereby appointed guardian ad litem to represent the interest of the minor beneficiaries, JENNA K. CHARLES and OWEN S. CHARLES.

3.5 **Solvency.** The estate is solvent.

3.6 **Nonintervention.** Nonintervention powers are confirmed to the personal representative, and upon filing his oath, STUART D. CHARLES may administer the estate without further intervention of the Court.

DONE IN OPEN COURT this 20 day of July, 2011.



JUDGE/COURT COMMISSIONER

Hollis Holman

ORDER PROBATING WILL, CONFIRMING PERSONAL REPRESENTATIVE, ADJUDGING SOLVENCY, CONFIRMING NONINTERVENTION POWERS, AND APPOINTING GUARDIAN AD LITEM - 3

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1 Presented by:

2 K&L GATES LLP

3
4 By Alan H. Kane
ALAN H. KANE
5 WSBA #206
Attorneys for personal representative

6 Entered by:

7
8 Marla A. Pelowski
9 Marla A. Pelowski
Senior Paralegal
10 KCBA #MP31425

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ORDER PROBATING WILL, CONFIRMING PERSONAL REPRESENTATIVE, ADJUDGING SOLVENCY, CONFIRMING NONINTERVENTION POWERS, AND APPOINTING GUARDIAN AD LITEM - 4

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LAST WILL AND TESTAMENT OF PHYLLIS SUTTER PITTS

FILED
11 JUL 20 AM 9:30
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

11-4-04230-5SEA

I, PHYLLIS SUTTER PITTS, a widow of Seattle, Washington, being of sound disposing mind and memory, and not acting under duress, menace, fraud or undue influence of any person or persons whomsoever, do hereby make, publish, and declare this my Last Will and Testament, in the manner following, that is to say;

FIRST: I hereby revoke all former wills by me at any time made.

SECOND: I hereby declare that no children have been born the issue of my body and that I have adopted no children at any time.

THIRD: I do name, constitute, and appoint STUART D. CHARLES, my nephew, executor of this my Last Will and Testament and it is my will and I hereby direct that he shall so act without bond.

In the event that STUART D. CHARLES predecease me, or fail or refuse to so act as executor of this my Last Will and Testament, or having qualified so

ORIGINAL



to act, thereafter become incapacitated, resign or removed, then and in that event I do name constitute and appoint JOHN PAUL CHARLES, son of Stuart and Arden Charles, executrix of this my Last Will and Testament and it is my will and I hereby direct that he shall so act without bond.

I expressly provide, order, and direct that all of the estate of which I may be possessed at the time of my death, shall be settled by the personal representative named in this paragraph. Whether a primary or alternative designation, without the intervention of any court or courts and it in the manner herein provided and that any such personal representative after qualified as a non-intervention executor or executrix, will have full power to sell and convey any or all of the real estate or personal property belonging to my estate, without the necessity of an order of any court for that purpose, without notice or confirmation; and that after the admittance of this will to probate and any other thing specifically required by law, all of my estate shall be held, managed, and settled without the intervention of any court.

FOURTH: I hereby give and devise my home and surrounding land at 4465 Agate Lane, Anacortes Washington to the SKAGIT COUNTY LAND TRUST on the condition that all buildings and associated structures be removed and that the land remain in a natural unimproved state for the

P S P.
P S P.

enjoyment of future generations.. It is also my direction that the Skagit County Land Trust shall erect a suitable plaque or sign on the property stating that the land is a gift from OTTO F. SUTTER and MABLE ROGERS SUTTER. If the Skagit County Land Trust refuses to accept this device, said property and conditions shall be offered to the SAN JUAN PRESERVATION TRUST. If the San Juan Preservation Trust refuses to accept this device then it shall become the property of my nephew STUART D. CHARLES and his wife ARDEN S. CHARLES.

FIFTH: I hereby give and bequeath all of my tools, together with all of my family pictures, baby pictures of myself and my sister, to my nephew, STUART D. CHARLES, if he survives me, otherwise this bequest will lapse and become a part of the residue of my estate.

SIXTH: I hereby give and bequeath the following described property to the SKAGIT COUNTY MUSEUM located in La Conner, Washington:

All beach furniture; all antique and cane furniture, circassian bedroom suite (sleigh bed, vanity, and chest); bathroom fixtures from Fidalgo Island Packing Company; little commode; all kerosene lamps; basin and pitcher, all cut glass; my great grandmother Roberts' hob nail dish and water carafe glass; my mother's silver mirror, comb, brush, manicure set, Chinese tea set; Bavarian china; all gold dishes; sterling silver flatware and two Community

plate flatware sets, silver tea set; all silver dishes, bowls, plates and etc.; pearl handled bread and butter spreaders; all jewelry, including that from my mother and father; all rare coins, all embroidery, linens, doilies, etc.; all suitcases, trunks, special storage boxed and weekend bags; field glasses purchased by my father in Paris prior to 1900; a typewriter from Fidalgo Island Packing Company manufactured prior to 1900; and a cedar chest.

SEVENTH: I hereby give and bequeath the following described property to the MUSEUM OF HISTORY AND INDUSTRY located near the University of Washington Arboretum in Seattle, Washington:

All costumes and formals (made of silk) two beaver fur coats, two mink capes, ermine shawl collar, otter collar, and two beaver hats. (The furs were trapped and tanned by native Alaskans)

EIGHTH: I hereby give and bequeath my personal possessions not listed above including but not limited to appliances, kitchen ware, televisions, clocks, artwork (including three Alaska landscape paintings by Jules), books, furniture, etc. to my nephew, STUART D. CHARLES.

NINTH: I hereby give and bequeath the sum of TEN THOUSAND and no/100 DOLLARS (\$10,000) to the NINTH CHURCH OF CHRIST SCIENTIST located on Wilshire Boulevard, in Los Angeles, California.

TENTH: I hereby give and bequeath my automobiles and a sum of FIVE THOUSAND DOLLARS and no/100 (\$5,000) to ROBERT TWENTY MARTIN, my personal assistant

ELEVENTH: I hereby give, devise, and bequeath all of the rest, residue and remainder of my estate, if any, including any void or lapsed legacies or devises, as follows:

One half divided equally among the active Seattle Area Christian Science Churches, one quarter to the Christian Science mother church located at 210 Massachusetts Avenue, Boston, Massachusetts and one quarter divided equally between my grand niece JENNA K. CHARLES and grand nephew OWEN S. CHARLES for the sole purpose of their education.

IN WITNESS WHEREOF, I have hereunto set my hand this 17 day of October 2008.

Phyllis Sutter Pitts
Phyllis Sutter Pitts

P.S.P.
P.S.P.

THE FOREGOING INSTRUMENT, consisting of six pages, of which this is the last, was on the date thereof, signed, sealed, published and declared by the testatrix, PHYLLIS SUTTER PITTS, to be her Last Will and Testament, in the present of us, who in her presence and at her request, and in the presence of each other, have hereunto subscribed our names as attesting witnesses, and at said time said testatrix was, in our opinion, of sound and disposing mine and memory and was not acting under duress, menace, fraud, or undue influence, and was in every way competent to make this Last Will and Testament.

Robert Martin

10/17/08

2648 15th Ave W.
Seattle, WA 98119

Marquette C. Whinn

1/28/10

1816 SW Trenton Street
Seattle, WA 98106

D. Grossi

DAVIA GROSSI
10769 19th AVE. SW
SEATTLE, WA 98106

GAIL SHERMAN MAKEE
Notary Public
State of Washington
My Commission Expires
February 03, 2010



Gail Sherman Makee, notary,
was witnessed the signing of
said document for Phyllis
Pitts on January 28, 2010

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FILED

13 JUN 04 PM 12:27

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 11-4-04230-5 SEA

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

IN THE MATTER OF THE ESTATE

OF

PHYLLIS SUTTER PITTS,

Deceased.

No. 11-4-04230-5 SEA

DECLARATION OF
COMPLETION OF PROBATE

(RCW 11.68.110)

STUART D. CHARLES, personal representative of the estate of PHYLLIS SUTTER PITTS, deceased, hereby declares that the administration of the estate of the above-named decedent has been completed and files this Declaration of Completion of Probate in support of the declaration as follows:

1. **Death.** The decedent, PHYLLIS SUTTER PITTS, died a resident of King County, Washington, on June 14, 2011, and left property in this state subject to probate.
2. **Will.** The decedent died testate having executed a Will on January 28, 2010, and the Will was admitted to probate by court order dated July 20, 2011.
3. **Creditors.** The following creditor's claims were filed in this estate:
Three creditor's claims were filed in the estate by Robert Martin and were satisfied by an Order of the court entered herein on June 28, 2012. A Receipt by Robert Martin pursuant to the Order was filed herein on July 11, 2012.

DECLARATION OF COMPLETION
OF PROBATE - I

K:\2068108\00001\20063_AHK\20063P280E

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Each creditor's claim which was justly due and properly presented as required by law has been paid or otherwise disposed of by agreement with the creditor. Creditor's receipts are on file herein.

4. **Taxes.** The amount of estate taxes due as the result of the decedent's death has been determined, settled, and paid.

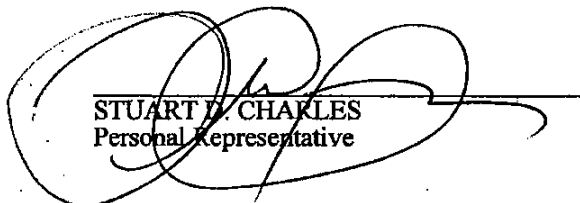
5. **Completion.** An Order of Solvency confirming nonintervention powers was entered herein on July 20, 2011. The personal representative has completed the administration of the decedent's estate without court intervention, and the estate is ready to be closed. Receipts in Distribution are on file herein.

6. **Fees.** Fees have been paid as follows:

- a. Attorney Fees:
 - K&L Gates LLP \$39,006.58
- b. Accountant Fees:
 - Denice Rasch \$3,548.00
- c. Appraiser Fees:
 - Joan Fossam \$500.00
- d. Personal Representative Fees: \$11,500.00

The personal representative believes the fees to be reasonable and does not intend to obtain court approval of the amount of the fees or to submit an estate accounting to the court for approval.

Dated this 29 day of April, 2013.



STUART D. CHARLES
Personal Representative

DECLARATION OF COMPLETION
OF PROBATE - 2


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DECLARATION APPROVED:

K&L GATES LLP

By 
SARAH B. BOWMAN
WSBA #38199
Attorneys for Personal Representative

DECLARATION OF COMPLETION
OF PROBATE - 3

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