

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 19.8
(ID # 10589)

MEETING DATE:

Tuesday, October 18, 2022


FROM : TREASURER-TAX COLLECTOR:

SUBJECT: TREASURER-TAX COLLECTOR: Public Hearing on the Recommendation for Distribution of Excess Proceeds for Tax Sale No. 210, Item 194. Last assessed to: Kathleen P. Murphy and Dale R. Moore, wife and husband as joint tenants w/ROS. District 4. [\$68-Fund 65595 Excess Proceeds from Tax Sale]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the claim from Kathleen P. Murphy, last assessee for payment of excess proceeds resulting from the Tax Collector's public auction sale associated with parcel 010754626-9;
2. Authorize and direct the Auditor-Controller to issue a warrant to Kathleen P. Murphy in the amount of \$68.42, no sooner than ninety days from the date of this order, unless an appeal has been filed in Superior Court, pursuant to the California Revenue and Taxation Code Section 4675.

ACTION:Policy


Matthew Jennings, Treasurer-Tax Collector 9/27/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: October 18, 2022
xc: Tax Collector

Kecia R. Harper
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$68	\$ 0	\$68	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Fund 65595 Excess Proceeds from Tax Sale.			Budget Adjustment:	N/A
			For Fiscal Year:	22/23

C.E.O. RECOMMENDATION: Approve.

BACKGROUND:

Summary

In accordance with Section 3691 et seq. of the California Revenue and Taxation Code, and with prior approval of the Board of Supervisors, the Tax Collector conducted the May 23, 2017 public auction sale. The deed conveying title to the purchasers at the auction was recorded June 21, 2017. Further, as required by Section 4676 of the California Revenue and Taxation Code, notice of the right to claim excess proceeds was given on August 08, 2017, to parties of interest as defined in Section 4675 of said code. Parties of interest have been determined by an examination of Parties of Interest Reports, Assessor's and Recorder's records, as well as other, various research methods used to obtain current mailing addresses for these parties of interest.

The Treasurer-Tax Collector has received one claim for excess proceeds:

1. Claim from Kathleen P. Murphy based on a Grant Deed recorded March 03, 2008 as Instrument No. 2008-0102620, a Last Will and Testament of Dale Ronald Moore dated August 25, 2006, and a Certificate of Death for Dale Ronald Moore.

Pursuant to Section 4675 of the California Revenue and Taxation Code, it is the recommendation of this office that Kathleen P. Murphy be awarded excess proceeds in the amount of \$68.42. Supporting documentation has been provided. The Tax Collector requests approval of the above recommended motion. Notice of this recommendation was sent to the claimant by certified mail.


Impact on Residents and Businesses


Excess proceeds will be released to the last assessee of the property.

ATTACHMENTS (if any, in this order):

ATTACHMENT A. Claim Murphy

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA


Steven Atkeson 10/10/2022


Michael C. Thomas 8/16/2022

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

2018 MAR 12 PM 10:30
RECEIVED
RIVERSIDE COUNTY
TREASURER-TAX COLLECTOR

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 210 Item 94 Assessment No: 010693192-5

Assessee: HATTICK JOHN B & DEBORAH L

Situs

Date Sold: May 23, 2017

Date Deed to Purchaser Recorded: June 21, 2017

Final Date to Submit Claim: June 21, 2018

I/We, pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$ 68,420 from the sale of the above mentioned real property. I/We were the lienholder(s), property owner(s) [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No. 2008-0102630 recorded on Feb 27/08. A copy of this document is attached hereto. I/We are the rightful claimants by virtue of the attached assignment of interest. I/We have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

Attached: Document # 2008-0102630
Death Certificate of Dale R. Moore #26528796 - Aug 08/2015
Last Will & Testament of Dale R. Moore

If the property is held in Joint Tenancy, the taxsale process has severed this Joint Tenancy, and all Joint Tenants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim, the claimant may only receive his or her respective portion of the claim.

I/We affirm under penalty of perjury that the foregoing is true and correct.

Executed this 23 day of February, 2018 at Qualicum Beach, British Columbia
County, State Canada V9K 1L9

Kathleen P. Murphy
Signature of Claimant

Signature of Claimant

Kathleen P. Murphy
Print Name

Dale R. Moore (deceased)
Print Name

420 Trio Lane
Street Address

Street Address

Qualicum Beach
City, State, Zip

City, State, Zip

British Columbia V9K1L9
City, State, Zip

250-594-0285 (Canada)
Phone Number

Phone Number

Email: karinad@telus.net

COU

JON CHRISTENSEN
TREASURER
TAX COLLECTOR

May 21, 2019

Kathleen P. Murphy
420 Trio Lane
Qualicum Beach, B.C. V9K1L9

Re: APN: 010754626-9
TC 210 Item 194
Date of Sale: May 23, 2017

To Whom It May Concern:

This office is in receipt of your claims for excess proceeds from the above-mentioned tax sale. The documentation you have provided is insufficient to establish your claim.

Please submit the necessary proof to establish your right to claim the excess proceeds. The document(s) listed below may assist the Treasurer-Tax Collector in making the determination.

- Notarized Affidavit under CA Probate Code 13100
- Notarized Statement of different/misspelled
- Original Notarized Authorization for Agent to Collect Excess Proceeds
- Notarized Assignment of Right to Collect Excess Proceeds
- Certified Death Certificate
- Copy of Birth Certificates for
- Copy of Marriage Certificate for
- Original Note/Payment Book
- Updated Statement of Monies Owed (as of date of tax sale)
- Articles of Incorporation (if applicable Statement by Domestic Stock)
- Court Order Appointing Administrator
- Deed (Quitclaim/Grant etc...)
- Other: Corrected claim form**

Please send in all documents within 30 days (**June 21, 2019**). If you should have any questions, please contact me at the number listed below.

Sincerely,

Miriam C. Marquez

Sr. Accounting Assistant
Tax Sale Operations/Excess Proceeds

Tel 951 955-3336/Fax 951 955-3990

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TC 210 Item 194
Kathleen P. Murphy
420 Trio Lane
Qualicum Beach, B.C. V9K1L9



9590 9402 1202 5246 6016 30

2. Article Number (Transfer from service label)

7016 0750 0000 4696 9871

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION

A. Signature

X

B. Received by (Printed Name)

D. Is delivery address different? If YES, enter delivery address

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

CLAIM FOR EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY
(SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS)

To: Don Kent, Treasurer-Tax Collector

Re: Claim for Excess Proceeds

TC 270 Item 194 Assessment No 010754626-9

Assessee: MURPHY, KATHLEEN P & DALE R

Status:

Date Sold: May 23 2017

Date Deed to Purchaser Recorded: June 21 2017

Final Date to Submit Claim: June 21 2018

I/we pursuant to Revenue and Taxation Code Section 4675, hereby claim excess proceeds in the amount of \$68,422 from the sale of the above mentioned real property. I/we were the owner(s) property owner(s). [check in one box] at the time of the sale of the property as is evidenced by Riverside County Recorder's Document No 2008-01022 recorded on Feb. 27 2018. A copy of this document is attached hereto. I/we are the rightful claimants by virtue of the attached assignment of interest. I/we have listed below and attached hereto each item of documentation supporting the claim submitted.

NOTE: YOUR CLAIM WILL NOT BE CONSIDERED UNLESS THE DOCUMENTATION IS ATTACHED.

Attached - Death Certificate original - Dale Ronald Moore
(Please return the original)

If the property is held in joint tenancy, the taxsale process has severed this joint tenancy, and all joint tenants will have to sign the claim unless the claimant submits proof that he or she is entitled to the full amount of the claim. The claimant may only receive his or her respective portion of the claim.

I/we affirm under penalty of perjury that the foregoing is true and correct.

Executed this 25 day of May

Kathleen P. Murphy

Signature of Claimant

Kathleen P. Murphy

Print Name

400 Trio Lane

Street Address

Qualicum Beach

City, State, Zip

British Columbia

Phone Number

V9K 1L9

Phone Number

SC08211195

Signature of Claimant

Print Name

Street Address

City, State, Zip

Phone Number

2019 Qualicum Beach British Columbia
Canada V9K 1L9

Recording Requested By
 First American Title Company

WHEN RECORDED, MAIL TO: *Riverside Resale*
 KATHLEEN P. MURPHY AND DALE R. MOORE
 1325 GABRIOLA DRIVE
 PARKSVILLE, BC V9P2X8 CANADA



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M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
<i>VAA T: 18</i>							CTY	UNI	002

MAIL TAX STATEMENTS TO:
 KATHLEEN P. MURPHY AND DALE R. MOORE
 1325 GABRIOLA DRIVE
 PARKSVILLE, BC V9P2X8 CANADA

APN: *653-730-048 2*
 TRA: 018-333

DOCUMENTARY TRANSFER TAX \$ 29.70
 Computed on the consideration or value of property conveyed; OR
 Computed on the consideration or value less liens or encumbrances remaining at time of sale.

Patricia Lukins
 Signature of Declarant or Agent determining tax.

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GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, MARRIOTT OWNERSHIP RESORTS, INC., a Delaware corporation, hereby GRANTS to KATHLEEN P. MURPHY AND DALE R. MOORE, WIFE AND HUSBAND, as Joint Tenants w/ROS, the following described real property in the County of Riverside, State of California:

See Exhibit A attached hereto and incorporated herein by this reference.

(Ref: SR*2203/21G&2205/21M)

MARRIOTT OWNERSHIP RESORTS, INC.

Delaware Corporation

By: *Patricia Lukins*

Print Name: PATRICIA LUKINS

Title: Manager, New Owner Administration

P.O. Box 24747

Lakeland, Florida 33802

(Corporate Seal)



Dated: FEB 27 2008

STATE OF FLORIDA)
 COUNTY OF POLK)

On FEB 27 2008 before me, AMY WESTERHORSTMANN, a notary public, personally appeared PATRICIA LUKINS, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

Amy Westerhorstmann

Printed Name: AMY WESTERHORSTMANN

Notary Public, State of Florida

Commission No: 106080

Commission Expires: 8-19-2011



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Exhibit A to Grant Deed

(Legal Description - Shadow Ridge, Phase 6, Lot 5, Bldg. 2200, Tract 28818-4 Every-Year)

A Timeshare Estate, as defined in Business and Professions Code §11212(x)1, being comprised of Parcels A and B and commonly referred to as Timeshare Interest Number(s):

2203-P-21 G
~~2205-P-21 H~~,

PARCEL A:

one ~~two~~/fifty-second (*1*/~~2~~104th) interest in Parcels 1 through 5, inclusive:

PARCEL 1:

An undivided 1/23 interest in Lot 5 of Tract No. 28818-4 as per map recorded on June 20, 2003, in Book 337, Pages 37 through 42, inclusive, as Instrument Number 2003-455583 of Miscellaneous Maps, in the Office of the County Recorder of Riverside County, California ("the Tract").

EXCEPTING THEREFROM:

Units 2201, 2203, 2205, 2207, 2209, 2211, 2213, 2215, 2221, 2223, 2225, 2227, 2229, 2231, 2233, 2235, 2241, 2243, 2245, 2247, 2249, 2251 and 2253 inclusive, as shown on the Condominium Plan recorded on July 6, 2006 as Instrument No. 2006-0487791 of Official Records in the Office of the County Recorder of Riverside County, California (the "Condominium Plan");

RESERVING THEREFROM:

(a) A non-exclusive easement for ingress, egress, use and enjoyment, subject to the provisions of the Condominium Declaration of Covenants, Conditions and Restrictions for Shadow Ridge recorded on June 27, 2000, as Instrument No. 2000-246778, of Official Records in the Office of the County Recorder of Riverside County, as amended from time to time (the "Condominium Declaration"), over the Common Area (as defined in the Condominium Declaration) of Lot 5 of the Tract; and

(b) Non-exclusive rights of possession over all Limited Common Areas located on Lot 5 of the Tract, as shown on the Condominium Plan.

PARCEL 2:

Unit 2203, ~~2205~~ as shown on the Condominium Plan.

PARCEL 3:

A non-exclusive easement for ingress, egress, use and enjoyment, subject to the provisions of the Condominium Declaration over the Common Area of Lot 5 of the Tract as defined in the Condominium Declaration, as appurtenant to Parcels 1 and 2 described above.

PARCEL 4:

An exclusive right of possession and occupancy of the Limited Common Areas as defined in the Condominium Declaration and as shown therein as appurtenant to Parcels 1 and 2 above described.

PARCEL 5:

A non-exclusive easement and equitable right of use and enjoyment of (a) the "Master Association Property," as defined in that certain Master Declaration of Covenants, Conditions and Restrictions for Shadow Ridge recorded on June 27, 2000, as Instrument No. 2000-246777 of Official Records in the Office of the County Recorder of Riverside County (the "Master Declaration") and (b) the Condominium Property, as defined in the Condominium Declaration, as appurtenant to Parcels 1 and 2 above.

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RESERVING FROM SAID PARCEL A AND RESERVING UNTO GRANTOR, its successors and assigns (including all "Owners") the exclusive right to use and occupy said Parcel A during all "Use Periods" and "Service Periods" [as the quoted terms are defined in that certain Timeshare Declaration of Covenants, Conditions and Restrictions for Shadow Ridge dated June 27, 2000, and recorded June 27, 2000, as Instrument No. 2000-246779 of Official Records, in the Office of the County Recorder of Riverside County, California (the "Timeshare Declaration")].

ALSO RESERVING FROM SAID PARCEL A, AND RESERVING UNTO GRANTOR, its successors and assigns, all those certain easements referred to in Paragraphs 3.5 and 3.6 of Article III of the Condominium Declaration and in Paragraph 2.9 of Article II of the Timeshare Declaration, together with the right to grant said easements to others.

PARCEL B:

The exclusive right and easement to use and occupy an "Assigned Unit" and use the "Common Areas" (other than the Administrative Limited Common Areas and the Limited Common Areas not appurtenant to such Assigned Unit) and the "Common Furnishings" therein during a "Use Period" for a maximum of seven (7) nights in the:

= 0 Silver Season(s) = 0 Gold Season(s) = 2 Platinum Season(s) = 0 Platinum Plus Season(s)

each "Use Year", all in accordance with the Timeshare Declaration, the Reservation Procedures and the Rules and Regulations of the Shadow Ridge Timeshare Association (the "Association"). (All quoted terms shall have the definitions ascribed thereto in the Timeshare Declaration.)

SUBJECT TO non-delinquent real property taxes and assessments for the current fiscal year and all later years; and to all covenants, conditions, restrictions, reservations, exceptions, limitations, uses, rights, rights-of-way, easements and other matters of record on the date hereof, including, without limitation, the Timeshare Declaration, the Condominium Declaration and the Master Declaration, all of which are hereby incorporated by reference into the body of this instrument as if the same were fully set forth herein.

2203-P-21 G
~~2205-P-21 M~~

Exhibit A to Grant Deed

(Legal Description - Shadow Ridge, Phase 6, Lot 5, Bldg. 2200, Tract 28818-4 Every-Year)

A Timeshare Estate, as defined in Business and Professions Code §11212(x)1, being comprised of Parcels A and B and commonly referred to as Timeshare Interest Number(s):

~~2203-P-21 G~~
2205-P-21 M ,

PARCEL A:

one ~~two~~ ¹
An undivided ~~two~~/fifty-second (~~2~~/104th) interest in Parcels 1 through 5, inclusive:

PARCEL 1:

An undivided 1/23 interest in Lot 5 of Tract No. 28818-4 as per map recorded on June 20, 2003, in Book 337, Pages 37 through 42, inclusive, as Instrument Number 2003-455583 of Miscellaneous Maps, in the Office of the County Recorder of Riverside County, California ("the Tract").

EXCEPTING THEREFROM:

Units 2201, 2203, 2205, 2207, 2209, 2211, 2213, 2215, 2221, 2223, 2225, 2227, 2229, 2231, 2233, 2235, 2241, 2243, 2245, 2247, 2249, 2251 and 2253 inclusive, as shown on the Condominium Plan recorded on July 6, 2006 as Instrument No. 2006-0487791 of Official Records in the Office of the County Recorder of Riverside County, California (the "Condominium Plan");

RESERVING THEREFROM:

(a) A non-exclusive easement for ingress, egress, use and enjoyment, subject to the provisions of the Condominium Declaration of Covenants, Conditions and Restrictions for Shadow Ridge recorded on June 27, 2000, as Instrument No. 2000-246778, of Official Records in the Office of the County Recorder of Riverside County, as amended from time to time (the "Condominium Declaration"), over the Common Area (as defined in the Condominium Declaration) of Lot 5 of the Tract; and

(b) Non-exclusive rights of possession over all Limited Common Areas located on Lot 5 of the Tract, as shown on the Condominium Plan.

PARCEL 2:

one
Unit ~~2203~~, 2205 as shown on the Condominium Plan.

PARCEL 3:

A non-exclusive easement for ingress, egress, use and enjoyment, subject to the provisions of the Condominium Declaration over the Common Area of Lot 5 of the Tract as defined in the Condominium Declaration, as appurtenant to Parcels 1 and 2 described above.

PARCEL 4:

An exclusive right of possession and occupancy of the Limited Common Areas as defined in the Condominium Declaration and as shown therein as appurtenant to Parcels 1 and 2 above described.

PARCEL 5:

A non-exclusive easement and equitable right of use and enjoyment of (a) the "Master Association Property," as defined in that certain Master Declaration of Covenants, Conditions and Restrictions for Shadow Ridge recorded on June 27, 2000, as Instrument No. 2000-246777 of Official Records in the Office of the County Recorder of Riverside County (the "Master Declaration") and (b) the Condominium Property, as defined in the Condominium Declaration, as appurtenant to Parcels 1 and 2 above.

RESERVING FROM SAID PARCEL A AND RESERVING UNTO GRANTOR, it successors and assigns (including all "Owners") the exclusive right to use and occupy said Parcel A during all "Use Periods" and "Service Periods" [as the quoted terms are defined in that certain Timeshare Declaration of Covenants, Conditions and Restrictions for Shadow Ridge dated June 27, 2000, and recorded June 27, 2000, as Instrument No. 2000-246779 of Official Records, in the Office of the County Recorder of Riverside County, California (the "Timeshare Declaration")].

ALSO RESERVING FROM SAID PARCEL A, AND RESERVING UNTO GRANTOR, its successors and assigns, all those certain easements referred to in Paragraphs 3.5 and 3.6 of Article III of the Condominium Declaration and in Paragraph 2.9 of Article II of the Timeshare Declaration, together with the right to grant said easements to others.

PARCEL B:

The exclusive right and easement to use and occupy an "Assigned Unit" and use the "Common Areas" (other than the Administrative Limited Common Areas and the Limited Common Areas not appurtenant to such Assigned Unit) and the "Common Furnishings" therein during a "Use Period" for a maximum of seven (7) nights in the:

= 0 Silver Season(s) = 0 Gold Season(s) = 7¹⁹ Platinum Season(s) = 0 Platinum Plus Season(s)

each "Use Year", all in accordance with the Timeshare Declaration, the Reservation Procedures and the Rules and Regulations of the Shadow Ridge Timeshare Association (the "Association"). (All quoted terms shall have the definitions ascribed thereto in the Timeshare Declaration.)

SUBJECT TO non-delinquent real property taxes and assessments for the current fiscal year and all later years; and to all covenants, conditions, restrictions, reservations, exceptions, limitations, uses, rights, rights-of-way, easements and other matters of record on the date hereof, including, without limitation, the Timeshare Declaration, the Condominium Declaration and the Master Declaration, all of which are hereby incorporated by reference into the body of this instrument as if the same were fully set forth herein.

~~2203-P-21~~
2205-P-21 M

This is the Last Will & Testament of me, DALE RONALD MOORE,
presently residing in Parksville, British Columbia.

I HEREBY REVOKE all former Wills and Codicils heretofore made by me
AND DECLARE this only to be and to contain my last Will and
Testament. I do not revoke testamentary dispositions that I have
made other than by Will or Codicil.

1. I HEREBY NOMINATE AND APPOINT my wife, KATHLEEN PATRICIA
MURPHY to be the Executrix and Trustee of this my last Will and
Testament.

2. IN THE EVENT that the said KATHLEEN PATRICIA MURPHY should
predecease me, be unwilling or unable to act for any reason
whatsoever, I hereby appoint my son, MICHAEL PATRICK MOORE and my
wife's daughter, KARA LEAH NAISH, jointly or the survivor of them,
to be the alternate Executors and Trustee of this my Will.

3. I HEREINAFTER REFER TO MY EXECUTOR AND TRUSTEE as my
"Trustee".

4. I HEREBY GIVE, DEVISE AND BEQUEATH all my real and personal
property, wheresoever situate and howsoever described, which I may
be possessed of or entitled to at the time of my demise unto my
Trustee, UPON THE FOLLOWING TRUSTS, namely:

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- a. In order to carry out the provisions of this my Will I give my Trustee power to sell, call in and convert into money all my estate (not consisting of money) at such time or times, in such manner and upon such terms and either for cash or credit or for part cash and part credit as my said Trustee in his or her discretion decides upon, with power and discretion to postpone such conversion of such estate or of any part or parts thereof for such length of time as he or she may think best; AND I HEREBY DECLARE that my said Trustee may retain any portion of my estate in the form in which it may be at my death (notwithstanding that it may not be in the form of any investment in which a Trustee is authorized to invest funds and whether or not there is a liability attached to any such portion of my estate) for such length of time as my Trustee may in his or her discretion deem advisable and my Trustee shall not be held responsible for any loss that may happen to my estate by reason of his or her so doing.
- b. To pay out of and charge to the capital of my general estate my just debts, funeral and testamentary expenses and all estate, inheritance, probate and succession duties and taxes whether imposed by or pursuant to the law of this or any other jurisdiction whatsoever that may

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be payable in connection with any property passing (or deemed so to pass by any governing law) on my death or in connection with any insurance on my life or any gift or benefit given or conferred by me either during my lifetime or by survivorship or by this my Will or any Codicil thereto and whether such duties or taxes be payable in respect of estates or interests which fall into possession at my death or at any subsequent time; AND I HEREBY AUTHORIZE my Trustee to commute or prepay any such taxes or duties.

- c. To transfer all the rest and residue of my estate to KATHLEEN PATRICIA MURPHY for her sole use and benefit absolutely.

- d. In the event the said KATHLEEN PATRICIA MURPHY predeceases me, dies simultaneously with me or surviving me dies within a period of thirty (30) days of my death then I DIRECT my Trustee to divide all the rest and residue of my estate into as many equal shares as will provide for those of the following persons who are living at my death the number of shares set opposite their names respectively:
 - TO PAEGE ALLESSANDRA BELLETT MOORE - 1 share;
 - TO JILL AMBER MOORE - 1 share;
 - TO PETER SEAN MOORE - 1 share;

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TO MICHAEL PATRICK MOORE - 1 share;

TO KARA LEAH NAISH - 1 share;

TO DEREK GARY NOSEWORTHY - 1 share,

and to pay over the shares to PAEGE ALLESSANDRA BELLETT MOORE, JILL AMBER MOORE, PETER SEAN MOORE, MICHAEL PATRICK MOORE and KARA LEAH NAISH, for their sole use and benefit absolutely; PROVIDED THAT:

i. (a) If my step-son, DEREK GARY NOSEWORTHY is living on the 30th day following the date of my death, my Trustee shall set aside his share of the residue of my estate and shall pay so much of the net income derived from the share and so much of the capital thereof for the benefit of DEREK GARY NOSEWORTHY as my Trustee in the exercise of an absolute discretion considers appropriate from time to time. My Trustee shall consider any other sources of income and government assistance to which DEREK GARY NOSEWORTHY is or may become entitled when exercising the discretion to encroach on the income and capital of the share.

(b) No interest in the share unless actually paid to or for DEREK GARY NOSEWORTHY shall vest in him.

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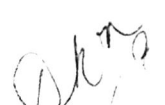
- (c) Any income not paid out in any year shall be accumulated and added to the capital of the share. After 21 years from the date of my death, the net income from the share shall be divided among the children of DEREK GARY NOSEWORTHY then living, or if there are no such children living then among the siblings of DEREK GARY NOSEWORTHY then living, in such proportion and upon such terms as my Trustee in the exercise of an absolute discretion considers appropriate from time to time. My Trustee may completely exclude DEREK GARY NOSEWORTHY when exercising such discretion.
- (d) On the date of death of the survivor of DEREK GARY NOSEWORTHY and me, my Trustee shall divide the share or the balance thereof remaining among the children of DEREK GARY NOSEWORTHY then alive, or in the event there are no such children then amongst the siblings of DEREK GARY NOSEWORTHY then alive, for their sole use and benefit absolutely:
- ii. PROVIDED THAT in the event that any of the said PAEGE ALLESSANDRA BELLETT MOORE, JILL



AMBER MOORE, PETER SEAN MOORE, MICHAEL PATRICK MOORE, KARA LEAH NAISH or DEREK GARY NOSEWORTHY should predecease me but should leave a child or children surviving and living at my death, such deceased beneficiary of mine shall be treated as being alive for the purpose of the division of my estate and the share to which such deceased beneficiary of mine would have been entitled had he or she survived me shall be divided among such child or children, and if more than one in equal shares per capita.

5. All bequests made in my Will, whether capital or income, shall be and remain the private and separate property of my beneficiaries and shall not fall into any community of property or be subject to any other matrimonial rights of the spouses of my beneficiaries and shall not be liable for the obligations of any such spouses or community. All bequests made are also intended as an alimentary provision for those beneficiaries and shall not be subject to seizure for the payment of any debts of the beneficiaries or the representatives while in the possession and under the control of my Trustee.

6. As my step-children, KARA LEAH NAISH and DEREK GARY NOSEWORTHY have always been considered by me in every way as if they were my



own children, I declare that for all purposes of my will they shall be considered as my own children and all of the provisions of my will shall be construed as if they were my own children and their issue shall be considered as my issue.

7. If any person should become entitled to any share of my estate before attaining the age of 19 years, the share of such person shall be held and kept invested by my Trustee and the income and capital, or so much thereof as my Trustee in his or her absolute discretion considers advisable, shall be used for the benefit of such person until he or she attains the age of 19 years, at which time the proceeds of the share together with the income thereof (if any) shall be paid to that child.

8. I AUTHORIZE my Trustee to make any payment for any person under the age of majority to a parent or guardian of such person or to anyone to whom he or she in his or her discretion deems advisable to make such payments, whose receipt shall be a sufficient discharge to my Trustee.

9. NOTWITHSTANDING anything hereinbefore contained I AUTHORIZE my Trustee to transfer and convey any assets of my estate to any beneficiary without first converting the same into cash at such valuation as my Trustee may consider to be fair and the same shall be deemed to be a payment to the beneficiary receiving the same of an amount equal to the amount of such valuation on account of such



beneficiary's share of my estate.

10. I direct that my remains be cremated and disposed of with a minimum of expense or ceremony.

IN WITNESS WHEREOF I have hereunto set my hand this ^{20th} day of August, 2006.

SIGNED, PUBLISHED AND DECLARED)
by the said DALE RONALD MOORE,)
Testator, as and for the)
Testator's last Will and)
Testament in the presence of us,)
both present at the same time,)
who, at the Testator's request,)
in the Testator's presence and)
in the presence of each other)
have hereunto subscribed our)
names as witnesses.)

[Signature]
DALE RONALD MOORE

Name: *[Signature]*)

Address: GARY W. DAVIS)
Barrister & Solicitor)
STE. 102, 156 MORISON AVE.)
BOX 1600)

Occupation: PRISKVILLE, B.C. V9P 2H5)

Name: *Barbara Schmitt*)

Address: _____)

PRISKVILLE, B.C. V9P 2H5)
Occupation: LEGAL SECRETARY)

CANADA
BRITISH COLUMBIA

**CERTIFICATE OF
DEATH**

**PROVINCE OF BRITISH COLUMBIA
Vital Statistics Agency**

26528796

This is to certify that the following is an extract from the registration on file with the Vital Statistics Agency, Victoria, British Columbia, concerning the death of

Name DALE RONALD MOORE

Date of Death AUG 08, 2015

Sex MALE

Place of Death NANAIMO

Age 75 YEAR(S)


Registration No. 2015-59-020996

Birthplace SASKATCHEWAN, CANADA

Residence QUALICUM BEACH, BRITISH COLUMBIA

Given under my hand at Victoria, British Columbia

this 10 day of AUG 2015


Jack Shewchuk
Registrar General
Vital Statistics Agency