

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF POLK  
PROBATE DEPARTMENT

In the Matter of the Estate of  
  
MARK R. QUISTAD,  
  
Deceased.

Case No. \_\_\_\_\_

**LIMITED JUDGMENT ADMITTING  
WILL TO PROBATE AND  
APPOINTING PERSONAL  
REPRESENTATIVE**

JAN IRVING, petitioned the Court for Probate of Will of Mark R. Quistad dated August 29, 2002, and Appointment of the nominated Personal Representative under the Will. The original Will has been filed with the court with an accompanying Affidavit of Attesting Witnesses.

The court accepts the petition of Jan Irving for the probate of the Will of Mark R. Quistad.

IT IS THEREFORE ORDERED AND ADJUDGED:

1.

The will of Mark R. Quistad dated August 29, 2002, is hereby admitted to probate.

2.

Jan Irving is nominated as the personal representative under Article 2.1 of the Will. No one has higher priority to serve as personal representative under ORS 113.085. Jan Irving is appointed as personal representative of the estate.

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3.

Article 5.1 of the Will waives the requirement of filing a bond. The personal representative is not required to file a bond and letters testamentary shall be issued forthwith to the personal representative in the manner provided by law.

5/14/2024 4:12:46 PM



Rafael A. Case, Circuit Court Judge

Submitted by:

Heather O. Gilmore, OSB No. 902720  
Attorney for Petitioner

**PERSONAL REPRESENTATIVE:**

Jan Irving  
1555 Kent St. NW  
Salem, OR 97304  
(503) 970-6367

**ATTORNEY FOR PERSONAL REPRESENTATIVE:**

Heather O. Gilmore, OSB No. 902720  
Heather O. Gilmore, PC  
P.O. Box 21043  
Keizer, OR 97307  
Phone: (503) 378-7813  
Email: hg@heathergilmorepc.com

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**CERTIFICATE UNDER UTCR 5.100**

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9 Heather O. Gilmore, the attorney for JAN IRVING hereby certifies as follows with respect to the  
10 Limited Judgment Admitting Will to Probate and Appointing Personal Representative:

- 11 (a) This matter is an uncontested probate proceeding and therefore service of the Limited  
12 Judgment Admitting Will to Probate and Appointing Personal Representative is not  
13 required pursuant to UTCR 5.100(3)(e).
- 14 (b) This proposed order or judgment is ready for judicial signature because:
- 15 1. ☐ Each opposing party affected by this order or judgment has stipulated to  
16 the order or judgment, as shown by each opposing party's signature on the  
17 document being submitted.
- 18 2. ☐ Each opposing party affected by this order or judgment has approved the  
19 order or judgment, as shown by signature on the document being  
20 submitted or by written confirmation of approval sent to me.
- 21 3. ☐ I have served a copy of this order or judgment on all parties entitled to  
22 service and:
- 23 a. ☐ No objection has been served on me.  
24 b. ☐ I received objections that I could not resolve with the opposing party  
despite reasonable efforts to do so. I have filed a copy of the objections I  
received and indicated which objections remain unresolved.
- 25 c. ☐ After conferring about objections, [role and name of opposing party]  
agreed to independently file any remaining objection.
- 26 4. ☐ The relief sought is against an opposing party who has been found in  
default.

- 1                   5.     [   ]    An order of default is being requested with this proposed judgment.
- 2                   6.     [x ]    Service is not required pursuant to subsection (3) of this rule, or by statute,
- 3                                   rule, or otherwise.
- 4                   7.     [   ]    This is a proposed judgment that includes an award of punitive damages
- 5                                   and notice has been served on the Director of the Crime Victims'
- 6                                   Assistance Section as required by subsection (4) of this rule.

7 Dated: April 30, 2024

8 /s/ Heather O. Gilmore

9 Heather O. Gilmore, OSB No. 902720

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