COAST VILLAGE REPORTER

JULY 2018

COAST VILLAGE PROPERTY OWNERS CORPORATION
131 Rhody Loop, Florence, OR 97439 (541) 997-3312
Office Hours Monday-Friday — 9:00 a.m.—3:00 p.m.

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2017-2018

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Hours of Operation
Maintenance staff on premises
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Website:
www.coastvillageflorence.com

Presidents Message:

How does the new Oregon ADU law apply to HOA communities with CC&R rules that restrict lots to a single dwelling?
From the Director of Planning, City of Florence, on June 21, 2018:

Roger,

Good afternoon. This email is sent to clarify the city's new ADU policies.

Effective June 21st Florence' code changed to accommodate ADUs. While we were in process with this anyway the issue was forced by the state's mandated requirement for cities and counties of a certain sizes within single family zoned areas to permit them.

The state's new law did not require gated communities to change their CCRs. Gated communities can be more restrictive if they choose. It is however up to them to regulate their more restrictive standards.

I did not want you to have the impression Coast Village or any other HOA community has to change their CCRs to allow ADUs.

Please let me know if you have any questions.

Wendy FarleyCampbell
Planning Director –City of Florence

Coast Village CC&Rs in effect currently:
Article 5, 5.2 Dwelling Units:

Except as otherwise provided or allowed by the Board of Directors for good cause shown, only one dwelling unit shall be allowed per lot.

Roger Emigh, President

NOTICES

- **Facility Hours:** Hours for the laundry room, Clubhouse bathrooms—24-7. Clubhouse and mailroom are 8 am-9:45 pm. Satellite Bath 8:00 a.m.—8:00 p.m.
- **Wi-Fi:** Is now available in the clubhouse. Information for access is posted in the clubhouse entrance and in the adult lounge.
- **BOARD MEMBER MEETING: July 21th, 2018 at 10:00 a.m.**
- The Dry Sauna is open—Hours 9:00 a.m. to 8:00 p.m.
- Please be careful with the clubhouse phone. If you break it, at least come in the office and notify us. Remember the phone is for everyone's use.

Pool is open—hours are 9:00 a.m. until 9:00 p.m.

Wild Spring Chinook, quickly released back into the McKenzie river, June 28, 2018"

PARK OPERATIONS REPORT

We are almost halfway through the year and enjoying beautiful weather which is helping us with the water project work. We have completed Knob Hill and will be moving on to Manzanita. Knob Hill has been a challenge and we were forced to make it two way traffic for a night. Some streets will be more difficult than others and we appreciate the patience of the lot owners affected.

We had a meeting with the city a few days ago. We will be seeing a small decrease in water and an increase in sewer beginning on August 1st. The city is going to "set" our sewer rate based on our water usage average between November of last year and March of this year. We want to encourage everyone to keep water usage down as much as possible during those winter months as next year's rate will be set on November of this year and March of 2020. Please do not water in the greenbelt, don't wash your car at home, don't waste water at all! If we are careful our sewer rate (which is the largest part of our water bill) will reduce our overall invoice. Remember that our utilities are a huge part of the budget. Do not let hoses run unattended, check your connections at the hose bib outside for leaks and fix them if you have one. If you have a running toilet, fix it.

The water bill for May was $13,093.26. The water bill for June is $9,432.39. You can see what fixing two leaks can do! That is a reduction of $3,660.87!

I see the fire works stands are already going up in Florence. Remember, **NO FIREWORKS ARE ALLOWED IN COAST VILLAGE**.

The Annual Meeting will be held on the 21st of July. Remember if you wish to have something on the Agenda to be voted on, you have it on the agenda. The deadline to have the items into the office is July 5th by 3:00 p.m.

Office Hours: Recently it was reported to me that some residents thought that staff in the office were leaving early. A reminder that the office hours are 9:00 a.m. to 3:00 p.m. We are usually here later than that so when we are, the sign on the door remains "open" and you are welcome to come in to take care of any business you might have. A reminder that I am available on weekends and evenings if you have an issue. I can be reached at 360-521-8428. We also have maintenance staff working on the weekends.

On July 4th there will be someone here to open and close and check and clean the pool. Regular staff will be off and the office will be closed for the holiday.

I hope to have someone from the fire department here at the Annual Meeting for a brief informative presentation. We all need to be aware of fire safety especially living in a community with greenbelts and trees. We will also have our Accountant here to present our year end close report and we will have financials available for your review. The financials will also be available at fiscal year end on our website. You can call the office for the password and instructions on how to view.

We have received $11,805.00 in assessment money in the month of June. Our total to date is $15,030.00. All monies have been transferred to the Reserve Fund for the water project.

There will be a lunch of cold cuts served at the Annual Meeting. There will be donuts and coffee in the morning.

Carlla van de Vyver

TREASURERS REPORT

June 15, 2018

Bank Account Balances as of June 15, 2018
Operating Fund Account: $63,086.90
Reserve Fund Account: $82,466.00
Petty Cash Fund $ 200.00

TOTAL FUNDS IN BANK: $144,772.90

Dues and Past Dues from Owners:
84 Manzanita: Still awaiting update on judgement.

The Finance Committee has completed the proposed budget for the 2018/2019 Fiscal Year. It will be voted on at the June 16, 2018 BOD meeting.

An invoice has went out to all Lot Owners for the $150.00 one time assessment for the water project. The Assessment dollars are being tracked separately and at the end of each month total assessments received will be transferred to the Reserve Account. An accounting of dollars received will be listed in the Newsletter each month. There have been numerous questions on payment options which the office staff have explained upon request.

Two additional properties have been turned over to collections.

Jay Guettler, Treasurer

Coast Village Property Owners Corporation
July 2018

Barking Dog Complaints

We have had several complaints about barking dogs and dogs running loose in Coast Village. We have called Code Enforcement and several lot owners have received warnings and fines. Please continue to call Code Enforcement for the City of Florence at (541) 902-2180 if a dog is continually barking for over 20 minutes.

We received an email from an owner informing us of a few electronic devices you can buy to put in your yard that are supposed to keep neighbor dogs quiet.

Here is a list of products:
First Alert Bark Genie available at Wal-Mart for about $35.97.
Totie 2018 Mini Outdoor Anti Barking Device at Amazon for $25.99.
Zelers Outdoor Anti Barking Device at Amazon for $21.99.
Frienda LED Ultrasonic Dog Repeller and Trainer Device (3 in 1) at Amazon for $11.59.

My sister has a Beagle that howls and she bought a "Pet Zoom" Pet Trainer to teach her dog not to bark and jump on people when they came over or went over to someone's house with their dog. It worked well for her. It is available for $15.89 at Amazon.
Good luck folks, we want everyone to enjoy their home at Coast Village, all owners, those with pets and those without. Have a wonderful summer in Florence.

<u>Senior Dog Rescue</u> is looking for additional foster homes for their tiny little dogs. These dogs are often transported from southern California where they have lost their homes through no fault of their own. Many are local dogs that parents go into nursing homes, are hospitalized, die or just unable to take care of them anymore.

What do you think? Could you take one or two of these love bugs into your home until their forever homes are found? Many of these dogs are Chihuahuas, but some have hair. Most are seniors, but some younger ones come along too. We provide the food and veterinary attention, you supply the love.

Give us a call to talk about what you can do. The more foster homes that we have, the more dogs we can rescue. Give Mary Horrillo a call at 541-902-7559 or stop by the Mini Pet Mall any third Saturday of the month between 12 and 3. We look forward to hearing from you.

PASSINGS

Lucille Lonnecker of 258 Outer Drive June 14, 2018

Don Milligan of 157 Outer Drive June 21, 2018

A special thanks to Jerry and Becky Lowe for the beautiful sign honoring Lucille and her husband Carl. We will all miss seeing Lucille on her walks around the park. She told the greatest stories of the history of Coast Village. Good Journey Lucille.

NOTICE NEW E-MAIL ADDRESSES FOR THE OFFICE

PARK OPERATIONS MANAGER: POM@CVPOC.COM

OFFICE: OFFICE@CVPOC.COM

CARLLA VANDEVYVER: CARLLA@CVPOC.COM

NANCY BROCK: nancy@cvpoc.com

PHONE NUMBERS AND FAX NUMBERS REMAIN THE SAME AND ARE LISTED ON THE FRONT OF THE NEWSLETTER

COAST VILLAGE

Third Thursday of every Month

July 19 August 17 September 21

TEXAS HOLD'EM Tournament

A fun and friendly tournament for all skill levels.

$5.00 Buy-in

Structured to last for approximately 1 ½-2 hours.

Questions? Email egykim@aol.com

In the Clubhouse Rose Room

6:30pm

THE CAT'S MEOW

Blooper the cat!

Hello there, it's me again—Blooper the cat!

Please remember to check your friends (dogs and cats) for fleas this time of year. Fleas carry tapeworms. They also make kitties like me itch like mad!!!

I have been spending a lot of time looking out the window at all the birds that come to mom's feeder. It's exciting—sure wish I could catch one but that's one of the reasons I don't' get outside. Mom says the birds are for "looking at" only.

My friend up at lot 193 is still hanging out. Sure wish someone would take him home and love him. He is still really afraid because he got left behind so he hides an awful lot.

Enjoy the weather, and remember all the loud noises of fireworks hurt our kitty ears! No fireworks in Coast Village please.

Scotch Broom is Beautiful, but Noxious

It is that time of year again when we begin to see Scotch Broom growing throughout Florence. If you see the yellow blooms appearing on your property, it's important that you remove it—roots and all.

The Scotch Broom shrub has become an invasive species throughout the Pacific Northwest, where it competes with native plants, and forms dense stands that are difficult to manage and remove.

Scotch Broom was introduced from Europe as a garden ornamental by early settlers of the Pacific Coast. It's invasive habit and economic costs have landed Scotch Broom on the State Weed Board's list of noxious weeds. It's seed can survive in the soil for up to fifty years. So pull it out as soon as you can identify it.

Note: We have several lots within Coast Village who appear to have Scotch Broom blooming. Please take a survey of your lot and remove any Scotch Broom you find. If you have difficulty doing this, please call the office and our maintenance staff will do it.

For new residents: Century Link and Charter both offer service in Coast Village. Direct TV and Dish also offer service here.
Remember 5' of Greenbelt is required on the sides and back of your property. If you need assistance the Greenbelt Committee is available to help you.

All cable needs to be placed under the ground. We no longer allow "temporary" above ground cable across streets. All work must be completed at once.

Wednesday morning coffee and snacks at the Rose Room! These guys are having a great time, consider joining the group and meeting your neighbors.

Maintenance

Michelle has been busy painting! ! I hope everyone will thank her for the great job sanding and refinishing the Coast Village entry signs. They look wonderful! You may have also seen her behind your house if you live on Spruce Street. We have finished painting the inside of the fence. We have also made some repairs and cut back brush away from the fence.

Mikhail, Rich and Mike have been busy digging holes for the repair of our water system. Hope everyone thanks them for their hard work. Digging holes is not easy!

If you have an emergency maintenance issue on the weekends you may call the Park Manager at 360-521-8428 and we will do our best to assist you. If it can wait until Monday please call the office after 9:00 a.m.

If you are planning on a weekend visit and need your water turned on, please advise us during the week so the water can be turned on Friday prior to your visit. If you do not notify us you may not have water for the weekend you are here, or you may be charged if maintenance has to be called in.

Thank you for stopping at the stop signs!

MAINTENANCE TEAM
(541) 997-3583
Carlla van de Vyver, Park Operations Manager
Mikhail Renner, Lead —Days
Richard Brown—Days
Dennis Barker—Janitorial Monday thru Friday & Sunday Evenings
Remember to call the Park Manager on weekends if there is an issue.
360-521-8428

COMMUNITY CORNER

Architectural Committee Tips

A reminder to everyone that if you are planning on making additions to your home or lot, you need to check with the Architectural Committee to see if you need to obtain a permit. Generally a permit is required if you are planning to add any type of addition that would change the coverage of the lot.

Remember you could receive a fine from the City if you build without appropriate authority.

The **Greenbelt Committee (GBC)** is here to help lot owners maintain and/or rehabilitate their greenbelt (that is required on both sides and the rear of each lot) by providing advice, labor, and in some cases plants that will work well to fill in a struggling greenbelt. If you would like some help, please contact the office or email cvgbc1@gmail.com. You can also contact Gene Vandervyver at Slager300@yahoo.com. Gene is the new Chairman of the Greenbelt Committee.

There's a new pet sitter in Florence!

You may have noticed that the ad for Barbara Lorell's cat sitting service is no longer in the CV newsletter. A couple of months ago I contacted Barbara about an upcoming trip and she told me she was moving out of state. I nearly panicked, but just as I was posting an ad to see if a Coast Village resident would come and care for my elderly cat, Mimi, I noticed a new business card on the bulletin board in the mail room. A woman named Kathey Johnson is now offering pet sitting service in Florence. I met with her and was very impressed with her professionalism – she has insurance with Lloyd's of London and keeps meticulous records and schedules. She had mostly sat with dogs in the past, so I contracted with her when I needed to make an overnight trip in early April. She did great and Mimi was clearly well taken care of, so I hired Kathy to care for her while I was off to the east coast and England to visit with family during the last half of April. While I was gone Kathy sent me updates and even photos. I had a few small vegetable plants under lights and she offered to water them as well – I came back to find them in great shape!

So if you need a pet sitter, I highly recommend Kathey Johnson, who can be reached at (512) 633-4177. Her rates are very reasonable. -- Vicki Dunaway

July 2018

SUN	Mon	Tue	Wed	Thu	Fri	Sat
1	**2** **Garbage 9 am**	**3** **Brush 9 am**	**4** Coffee Klatch 10 am Holiday Office Closed	**5** **Bingo** **6:30 pm**	**6** **Water Shut Off** **8 am to 1pm**	**7**
8	**9** **Garbage 9 am**	**10** Brush 9 am Water aerobics 10:00 am Quilt Guild 1:30—3:30 pm Poetry Workshop 7-9pm	**11** **Coffee Klatch** **10 am**	**12** Water aerobics 10:00 a.m. CCR Meeting 12 noon	**13** **Water Shut Off** **8 am to 1pm**	**14** **July Barbecue** **Potluck 2 pm**
15	**16** **Garbage 9 am**	**17** Brush 9 am Water aerobics 10:00 a.m. Poetry Workshop 7-9 pm	**18** **Coffee Klatch** **10 am**	**19** **Water aerobics** **10:00 a.m.** **ARC 4 pm**	**20** **Water Shut Off** **8 am to 1pm**	**21** **Annual** **Board Meeting** **10 am**
22	**23** **Garbage 9 am**	**24** **Brush 9 am** **Water aerobics** **10:00 am**	**25** **Coffee Klatch** **10 am**	**26** Water aerobics 10:00 a.m. Texas Hold' Em 6:30 pm	**27** **Water Shut Off** **8 am to 1pm**	**28**
29	**30** **Garbage 9 am**	**31** Brush 9 am Water Aerobics 10 am Poetry Workshop 7-9 pm				

HAPPY BIRTHDAY: Here's to celebrations!

Patti Shields July 7th
Leon Tilton July 7th
Becky Lowe July 7th

An anniversary is a time to celebrate the joys of today, the memories of yesterday and the hopes of tomorrow.

Cecil & Virginia Strader July 17th
Wayne & Shirley Shotwell July 20th
Bev & Barry McElhose July 23rd

If you would like your birthday or anniversary added to our newsletter just let the office know.
You can call Nancy at 541-997-3312 or just stop by the office.

Join us for Florence's annual Independence Day fireworks show!

A BIG Thank you to **Banner Bank** who is this year's $5,000 "Big Bang" sponsor!
The pyrotechnics extravaganza will be launched from a barge in the Siuslaw River which can be viewed along the river throughout Old Town. The colors reflect off the water, which makes the display extra beautiful. BBQ Lunch will be available at the **Florence Senior Center** for all ages.
Adding to the old-fashioned fun are the annual pie and watermelon eating contests, sponsored this year by **The Church of Jesus Christ of Latter-day Saints**. The contests are **FREE** and open to all ages! (Age groups will be 0-12, 13-20, and 21+). They will be staged on the corner of Bay St. and Nopal (across from ICM Restaurant in front of Bay Street Bling) from 11:45am until approximately 1pm. Registration starts on-site at 11am.
New this year is fully-synchronized patriotic music sponsored by **Banner Bank**. The music will be broadcast on **KCST/Coast Radio** throughout the Florence area with a live remote in the Old Town area.
The fireworks show will begin at 10pm.

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Join us in Old Town for Block Party Celebrating Florence's 125 Anniversary!

July 27, 2018 @ 5:30 PM - 9:00 PM

The City of Florence is hosting a city wide "block party" on July 27th from 5:30-9pm in Old Town.

We will be closing the street from the Siuslaw Bridge to Laurel Street to create a hub for this celebration.

This event will feature interactive activities set up by local organizations, activities and games for kids, and live music throughout the evening in front of our Interpretive Center!

Also important to note, is that the City of Florence is hosting the Oregon Mayors Conference this same weekend. Around 70 mayors from across the state of Oregon and their spouses will be in attendance at this event. We are encouraging all businesses, in and around Old Town, to stay open until 9pm for this celebration. If you would like to be a part of the block party in some way or have further questions, feel free to call 541-590-4011 or email claire.waggoner@ci.florence.or.us.

RECIPE CORNER

Campfire Beans:

6 slices bacon
1 onion chopped
1 green pepper chopped
1/4 tsp salt
3 (15 oz) can navy beans drained (or you can use pork and beans)
1 1/4 cups ketchup
1/4 cup molasses
4 tsp. dry mustard
1/2 tsp. ground black pepper

Cook bacon until fat is rendered. Transfer to plate; coarsely crumble
To skillet add onion, green pepper and salt, cook for 8 minutes.

In large baking dish stir in bacon, navy beans, ketchup, molasses, dry mustard and pepper. Bake covered, in oven at 325 degrees for 1 hour.

Enjoy these beans with BBQ meats, or freshly grilled corn on the cob.   For vegetarians leave out the bacon.

Coast Village Property Owners Corporation

Barbecue Potluck July 14th, 2018

Please join us for the Coast Village July Barbecue Potluck, 2 pm to 5 pm on Saturday, July 14th, 2018. We are going to play games, and have a raffle. Raffle tickets are $1.00 each, or 6 tickets for $5.00. Prizes we be announced when we get them! Purchase tickets in the office; or bring money to the Potluck. Hamburgers and hotdogs will be provided by Coast Village. Please bring a side dish; potato salad, macaroni salad, chips or dessert to share with your neighbors. If you don't cook, please bring a donation for the Activities Committee. Please see the sign-up sheet on the Post Office bulletin board.

Where: Rose Room

When: Saturday, July 14th, 2018

Time: 2:00 PM

What To Do If You See A Bear:

If you live in Florence, you may never see a bear. Even so, there are many places in the Florence community and surrounding areas where frequent bear sightings occur. If you observe one of these extraordinary animals, notify the Florence Police Department. If you live outside the City, notify the Lane County Sheriff's Office or Oregon State Police.

If you see a bear, what you should do depends on the situation. If a bear approaches you or poses a threat to you or animals you own, act immediately to scare it away. Make as much noise as possible by yelling loudly. Don't worry about waking people in the neighborhood if it's nighttime. If you are with other people, stand together to present a more intimidating figure, but do not surround the bear.

If you frequently have bear sightings, carrying bear or pepper spray may be a safety alternative. Bears that become comfortable around people lose their natural fear of us and sometimes become too aggressive. When they become comfortable enough around people that it leads to aggression, they either need to be relocated or killed.

Coast Village has two bears that usually hang out this time of year, looking for food. A big boar (male) and a smaller female who usually has a least one cub. Please remember to put your garbage out only on Monday mornings. It is wise to take your bird-feeders in at night. Do not leave scraps out to attract crows or seagulls or "bears".

The Coast Village bears do not want to be friends, they will go the other way to avoid you, do not chase, or otherwise harass if you see one.

Stay safe. We love our park-like setting, but it does attract wildlife at certain times of the year.

A NEW WINNER!!!

June Grand Champ Kim!!!!

Curb your pets:
Dogs It is time to again remind all pet owners that Coast Village follows the City of Florence animal code, Title 6, Chapter 6. The office is receiving complaints about individuals allowing their dogs on private lots to do their "business" as well as complaints of dog doo not being picked up and properly discarded. It is against both Coast Village & the City's rules to allow either.

Leashing: The city has a rule against unleashed dogs on private property when the dogs are not contained by a fence. Even if you are with your dog on your lot and the dog rushes the road when someone goes by, this is against both City and Coast Village rules.

COAST VILLAGE

First Thursday Every Month

July 5 August 2 September 7

6:30pm

In The Clubhouse   Rose Room

Bring your quarters!

Come play!

Games will be 25-75 cents per card with a 1.00 Blackout Finale!

(Approximately 5.50 if you are playing one card)

Please email: egykim@aol.com with any questions.

What Happens If You Die Without a Will?

If you die without a will, it means you have died "intestate." When this happens, the intestacy laws of the state where you reside will determine how your property is distributed upon your death. This includes any bank accounts, securities, real estate, and other assets you own at the time of death. Real estate owned in a different state than where you resided will be handled under the intestacy laws of the state where the property is located.

The laws of intestate succession vary greatly depending on whether you were single or married, or had children. In most cases, your property is distributed in split shares to your "heirs," which could include your surviving spouse, siblings, aunts and uncles, nieces, nephews, and distant relatives. Generally, when no relatives can be found, the entire estate goes to the state.

Single With No Children

If you are single and childless, your parents will receive your entire estate if they are both living. Otherwise it will be divided among your siblings (including half-siblings) and your surviving parent, if one parent has already died.

If you have no surviving parents at the time of your death, then your entire estate will be divided among siblings, in equal parts.

If there are no surviving parents, siblings, or descendant's of siblings (nieces and nephews), then the relatives on your mother's side would inherit one-half of the estate, with the other one-half passing to the relatives on your father's side.

Single With Children

If you are single and have children, then your entire estate generally will go to your children, in equal shares. If any child has died before you, and that child has any children, then his or her share will go to your grandchildren.

Married With No Children

Depending on how your assets are owned when you die, your estate will either go entirely to your surviving spouse (if community property), or split between your surviving spouse, siblings and parents (if separate property).

Married With Children

If you are married with children, your entire estate will go to your surviving spouse (if all children are the children of your surviving spouse). Otherwise, your surviving spouse will receive up to one-half of the estate, with the remaining portion passing to your surviving children from another spouse or partner.

Unmarried Couples

Dying without a will can be devastating to unmarried couples who are living together. Because intestacy laws only recognize relatives, unmarried couples do not inherit the property of the other partner when one partner dies without a will. Unless there is a will which clearly states a person's intentions when they die, the decedent's property will be divided among relatives, depending on their relation to the decedent.

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Domestic Partners
Special rules apply to domestic partners. Since not all states recognize domestic partnerships, it is important to check the laws of your particular state to learn how property is distributed upon your death. Generally, if you die without a will and are survived by a domestic partner, your domestic partner inherits the same as a surviving spouse, depending on how you owned the property. Because state laws vary, it is important to check the estate planning laws of your particular state.

Don't Delay: Get a Handle on Your Estate with the Help of an Attorney
Since estate planning can be quite complicated, it may be wise to speak with an estate planning attorney in your area to fully understand what may happen in your particular case if you die without a will. An attorney can help you draft a valid will and give you some peace of mind. Get started today and contact a local estate planning attorney.

How Do I Make a Will?

You can make a will yourself, or you can have a lawyer make one for you. After the will is made, you sign and two witnesses sign it to make it legal. Learn much more about wills on the **Wills** section of Nolo.com.

Oregon State Bar

It is important to realize that changes may occur in this area of law. This information is not intended to be legal advice regarding your particular problem, and it is not intended to replace the work of an attorney.

What is a will?

A will is a set of instructions that explains how you want your property distributed after your death. In Oregon, you must be at least 18 years old and of sound mind to make a will. If you are married, you can make a will before you turn 18. Your will must be in writing and must be signed by you and two witnesses. Some people cannot serve as witnesses to your will. It is important to make sure that all of Oregon’s legal formalities are carefully observed.

What are the benefits of a will?

A will allows you to decide who will manage your money and other property after you die, and how it will be distributed. It lets your wishes be heard regarding the care of minor and disabled children. It often prevents disputes among your relatives. In a large estate, a will can also reduce the amount of taxes that may be due at your death.

Who should draft a will?

A will is an important legal document that can have a significant impact on your family. A lawyer can give you good advice on how the will should be prepared and executed. Having a lawyer draft your will gives you the assurance that your voice will be heard regarding how you want your children to be cared for and how you want your property to be distributed.

Does a will avoid probate?

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No, but having a will can reduce the cost of probate and the burden to your friends and family. Whether your property needs to go through probate is determined by the value of the property and how that property is titled, not whether you have a will.

Can joint accounts substitute for a will?

Joint accounts, life insurance and retirement accounts usually do not have to go through the probate process, but they are not a complete will substitute, because they only control the distribution of those accounts. Many spouses own real estate, bank accounts, stocks and bonds, and other types of property as husband and wife with the right of survivorship. This means that if you die, any jointly owned property passes automatically to your surviving spouse, regardless of what your will says. Life insurance and retirement accounts are contractual documents. You should fill out the beneficiary designation form for each company you contract with to tell that company who is to receive your death benefit. Your beneficiary designation will determine who gets the benefit regardless of what your will says. Beneficiary designations and jointly owned accounts can be good probate avoidance techniques but should only be considered as part of a complete plan that includes a will.

What happens if I do not have a will?

If you do not have a will, and if you have probate property, your property will be distributed according to instructions made by the Oregon legislature. For example, if you are married and do not have children, all property that is in your name alone will go to your spouse. This is also true if you are married and have children that are born of your current marriage. If you are married and have children from a prior marriage, half of your property will go to your spouse and the other half will go to all of your children. If you have a child under the age of 18, the court may choose someone to take care of the property for that child. If you do not have a will or any family that would be entitled to your property, your property (that is in your name only) may go to the state of Oregon. Your family (heirs) includes a large category of relatives: spouse, children, grandchildren, parents, siblings, grandparents, nieces, nephews and cousins.

Whom may I choose to inherit my property if I write a will?

The only rule is that if you are married, your spouse has a right to claim part of your estate. Generally, unless you entered into an agreement in which you validly waived your right to claim a share of your spouse's estate, spouses cannot disinherit each other. You are not required, however, to leave anything to your children or other family members. You may instead choose a friend or charity to inherit your property. If you plan to disinherit a family member it is very important that you consult with an attorney experienced in estate planning to make sure that your plan will be followed.

What is a personal representative?

If your estate needs management, a personal representative ("executor") will be appointed by the court. Having a will lets you decide who that person will be. You may choose someone familiar with your property and affairs or a professional who can serve as a personal representative. If you think there may be hard feelings in your family or your estate has complications such as children from a previous marriage, you may want to name a professional. Many banks and trust companies have experienced people to handle the difficult task of being a personal representative and — since the fee paid to a personal representative is determined by the size of the estate, not by who serves as personal representative — banks and trust companies are generally paid the same fee to serve as personal representative as an individual is paid.

What is a trust?

A trust is another tool used in estate planning that can be created as part of a will or as a separate document. A trust is a legal document that appoints someone (a "trustee") to manage your property and gives detailed instructions on how the property will be managed and distributed. A trust is one way to take care of a minor child, an elderly person or someone who needs help handling money. A trust may be established during your lifetime, and you may act as your own trustee, or it may be established by your will after your death. Trusts are generally more complicated to create than a will, and you may want to consider having an estate planning lawyer assist you.

Can a revocable living trust substitute for a will?

A properly drafted revocable living trust can work well as a substitute for a will and sometimes may reduce the costs of handling your estate. However, even if you have a trust, most advisors would recommend you also have a will to cover the possibility that some of your assets may not be covered by the trust at the time of your death. Whether a trust is proper for your estate is a decision to be made after receiving competent legal advice.

Is a will expensive?

No, a simple will is not expensive. However, the cost of any will depends on how much work your lawyer does for you. As a will becomes more complicated, the cost rises. Ask your lawyer for an estimate of the cost. In general, the trouble and expense of not having a will far outweigh the cost of the will.

Do I need a will if I don't have much money?

The amount of property you own does not determine whether you need a will. Your personal and financial circumstances determine when and how a will should be drafted. For example, it is important for new parents to have a will to provide for their children even if they own little personal or real property.

What are estate and inheritance taxes?

Estate taxes are the taxes that need to be paid out of your estate after you die. These are based on the total amount of assets that you own at the time of your death. There are federal estate taxes as well as taxes due to Oregon. These amounts change frequently as Congress and our state legislature determine the amounts. An estate planning lawyer may be able to draft a will, trust or other document, as well as give you advice, to help reduce the amount of taxes your estate may owe upon your death.

Is a will from another state valid?

Yes. Generally, if you made a will in another state according to the laws of that state, it is also valid in Oregon. This is also true if you created a trust in another state.

Can a will be changed?

You can change your will at any time as long as you are of sound mind. Major life events such as marriage, divorce, death of a family member, or a new baby are good reasons to consider changing your will. In fact, in Oregon, marriage may revoke any will you made before your marriage. You may revoke your old will by destroying it or by writing a new will. If you only want to make minor changes, you may create a "codicil," a document that is attached to your will. The same legal formalities are required for creating a codicil as a will, and therefore it is wise to consult an attorney about the changes you would like to make. In the meantime, do not write on your old will, because you may end up invalidating the entire document.

Should I consider having a medical advance directive and a financial power of attorney?

Yes. A will only takes effect after you die. An advance directive and power of attorney are documents that may be used to manage your health care and finances while you are still living. A power of attorney may be created for any purpose, but most commonly an elderly person will nominate a close friend or family member to be their agent to help manage their money. Because this power can be abused, it is wise to seek the advice of a lawyer before signing a power of attorney. An advance directive is a document in which a person appoints a "health care representative" to make medical decisions such as living arrangements and treatment options when they become incapacitated and unable to make their own decisions. An advance directive can be used to indicate whether you wish to have life support, tube feeding or other heroic measures when you are close to death. A power of attorney and advance directive can be excellent end-of-life planning tools. Both documents expire at death, or can be revoked at any time.

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Northwest Reflections
health & wellness

Melinda Gitnes, Adult Nurse Practitioner, and Owner of Northwest Reflections Health & Wellness, offers care uniquely different from today's traditional medicine. Melinda began practicing in 2012, and as your provider, she offers comprehensive primary care, that is both affordable and accessible. She does not accept or bill insurance. She works for you...not the insurance companies. No longer must you pay for high deductibles and co-pays, simply to have primary care. Patients pay a low fee of $75/month and have easy access to their provider. Office visits, home visits, phone calls, texts and emails are all included in your membership.

Melinda only accepts a limited number of patients, which is very different from today's high-volume clinics, thus allowing more time focusing on your individual needs, in an unhurried calm environment. Same day, or next day appointments are available, along with easy access to your provider for questions and/or concerns.

At Northwest Reflections Health & Wellness, we care for individuals age 19 and up. Our services include: annual physical exams, weight management, stress management, and recommendations for immunizations. We provide same day, or next day appointments for acute needs. We also offer chronic disease management, which includes: Hypertension, CHF, COPD, Asthma, Hyperlipidemia, Diabetes, Arthritis, Depression, and Anxiety to list a few. Any areas of treatment we do not provide services for, we are happy to give referrals to our members.

When you are ready for quality care from a Primary Care Provider who focuses on you as an individual, and not just an ailment, give us a call at 541-590-3906.

Use of Fireworks Prohibited in Park