

AFFIDAVIT

STATE OF CALIFORNIA)
COUNTY OF SANTA CRUZ) ss

AUG 3 11 33 AM 1972

The undersigned, MARC M. PALMER and SYLVIA H. PALMER, his wife, declare:

We reside at 815 - 35th Avenue, Santa Cruz, California (95060).

We are citizens of the United States and residents of the county aforesaid.

We are over the age of twenty-one.

This Affidavit is made for the purpose of protecting our interests in the real estate hereinafter described: "All that real property situated in the County of Klamath, State of Oregon, described as - 10 acres more or less, the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 11, Township 33S, Range 7E."

1. On July 5, 1972, we responded to an advertisement of said property in the Santa Cruz Sentinel newspaper, Santa Cruz, California. We called the telephone number listed (415-839-1068) and spoke to a Mr. Eugene Fox, who represented himself as the owner of said property. He told us he had made arrangements with a man in Klamath Falls, Oregon to show prospective buyers the property and that it would cost us Fifty Dollars (\$50.00) to see it. When we arrived in the general area of the property on or about July 15, 1972, we again called Mr. Fox and he gave us the name and telephone number of the man who was to show us the property. The man is: Mr. Mike Benjamins of Klamath Falls, Oregon - phone number (503-882-1090). On July 15, 1972, Mr. Benjamins met us at Collier State Park, (located near the property), and took us to the property and pointed out the boundaries. WE paid Mr. Benjamins Fifty Dollars (\$50.00) for his services, as instructed by Mr. Fox.

2. Upon our return to California, we again called Mr. Fox to tell him we were interested in closing the deal on the property. We offered to come to his office which is supposed to be on Broadway in Oakland, California. (We have been unable through the telephone operator or any other means, to determine Mr. Fox's office or residence address). Mr. Fox said he was coming to Santa Cruz the day we called and would rather stop by our house. He stopped by with the attached Agreement for Sale of Real Estate already filled in and signed by the person listed thereon as Seller, a "Ingeborg Tallman". This was the afternoon of July 17, 1972.

3. We questioned this saying we believed Mr. Fox was the owner of the property. He responded by saying he was doing this for income tax purposes as he was in a high tax bracket. He said he had a power of attorney for Ingeborg Tallman, and volunteered the information that she was a very "wealthy lady and had property

everywhere, including Europe."

4. We asked Mr. Fox if this transaction would be going through escrow or a title company to show our interest. He responded that this is not the manner in which these transactions are handled. We asked Mr. Fox for one of his business cards and he said he had failed to bring any.

5. The following day, on July 18, 1972, we talked to a Mrs. Rosen, one of the managers at the Bank of America, 5277 Foothill Blvd., Oakland, California, who would be acting as collectors on the note. We were told by Mrs. Rosen that Mr. Fox is Ingeborg Tallman's son-in-law; that the bank is handling similar transactions for Mr. Fox and Mrs. Tallman; that Mrs. Tallman lives in Alameda, California.

6. That evening, July 18, 1972, we called Mr. Mike Benjamins in Klamath Falls, Oregon, and he told us that this transaction was similar to others Mr. Fox has handled. He said that Mr. Fox is buying the property from a Mr. and Mrs. David Wyman (Norma) of Seattle, Washington; that Mr. Fox has options or release clauses to sell the property. Mr. Benjamins told us that he has known Mr. Fox for many years, and that at such time as we pay the balance on the property, Mr. Fox will issue us a Deed. Mr. Benjamins gave us the post office box number where he corresponds with Mr. Fox (P.O. Box 398, Oakland, California).

7. On July 21, 1972, we received a copy of the Collection notice from the Bank of America, Boulevard-Fairfax Branch, 5277 Foothill Blvd., Oakland, California, showing the owner of the note as Ingeborg Tallman, P.O. Box 1553, Alameda, Ca. 94501, showing that payments we are to make will be in the amount of \$47.33 per month, commencing August 17, 1972, and that said payments are to be credited to the account of Heidrun Fox and Ingeborg Tallman, Tenplan Account Number 960837.

We declare under penalty of perjury that the foregoing is true and correct.

Executed on July 26, 1972, at Santa Cruz, California.



P. O. Drawer 637, Santa Cruz, Calif. 95060
STATE OF CALIFORNIA)
COUNTY OF SANTA CRUZ) ss

Marc M. Palmer
MARC M. PALMER

Sylvia H. Palmer
SYLVIA H. PALMER

On this 26 day of July, 1972, before me, a Notary Public in and for said County and State, personally appeared Marc M. Palmer and Sylvia H. Palmer, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.

Bernice L. Lynn
Notary Public

8579

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at ~~McDougal~~
this 3rd day of August A. D. 1972 at 11:23 clock A M., and
duly recorded in Vol. M72, of Deeds on Page 8576

Wm D. MILNE, County Clerk

Fee \$8.00

By Lucia Huntley