

MTG 1942

MTG

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15454

AFFIDAVIT PURSUANT TO
OREGON REVISED STATUTES
SECTION 114.525

I, SALOME COSE, declare:

That JOSEPHINE W. WALL died testate on or about March 17, 1974, in Los Angeles County, California. I, being one of the heirs of the decedent herein declare the following pursuant to Oregon Revised Statute Section 114.525:

1. Decedent left real property in Oregon of a value less than \$10,000, commonly known and described as follows: See Exhibit "A" attached hereto and incorporated herein by reference.

2. To my best knowledge there are no debts of the decedent remaining unpaid.

3. Attached hereto, marked Exhibit "B" is a certified copy of the death certificate of decedent. The date of death of the decedent was March 17, 1974.

4. On or about April 29, 1974 Security Pacific National Bank, as special administrator of the estate of Josephine W. Wall filed a petition for probate of will, said will being dated September 26, 1968, a true and correct copy of which is attached hereto, marked Exhibit "C" and incorporated herein by reference. On or about May 23, 1974 declarant filed a contest in opposition to probate of the purported will. Letters of special administration thereafter issued to Security

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EXHIBIT C

976 JUN 24 AM 10 33

Pacific National Bank and said litigation was settled on or about November 1, 1975. A true and correct copy of the agreement and stipulation of settlement and acknowledgment and the order approving and allowing settling the first account current and approval of agreement for distribution are attached, marked Exhibits "D" and "E" respectively and incorporated herein by reference.

5. The heirs of the decedent and their last known addresses are as follows:

Salome Cose	2285 Barrow Street San Leandro, California c/o PHILIP N. LYONS Attorney at Law 250 Juana Avenue San Leandro, California 94577
-------------	--

Edith R. Waltz	c/o ROBERT W. ANDERSON Attorney at Law 600 Mutual Savings Bldg. 301 East Colorado Blvd. Pasadena, California
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A copy of the within affidavit has been delivered to each heir at their last known address.

6. The decedent died testate. See previous Exhibits and answers.

7. A copy of the within affidavit along with a copy of the death certificate and will has been delivered to each devisee at his last address known to affiant as set forth in paragraph (5) above.

8. Pursuant to the agreement and stipulation and order of the Superior Court of the State of California, County of Los Angeles, the declarant and affiant, SALOME COSE has a 40% interest in the property set forth above and Edith R. Waltz has a 60% interest thereof.

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9. A copy of the within affidavit has been mailed to the Public Welfare Division, Salem, Oregon.

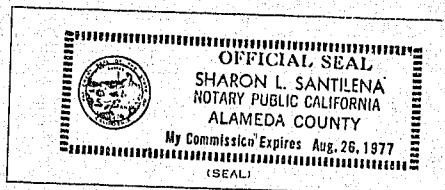
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: April 23, 1976

Salome Coase
SALOME COSE
Declarant & Affiant

Acknowledgment - General

State of California, }
County of ALAMEDA } ss.
On April 23, 1976, before me, the undersigned, a Notary Public for California,
personally appeared SALOME COSE,
known to me (or proved to me on the oath of _____), to be the person... whose
name... subscribed to the within instrument and acknowledged to me that she... executed the same.



ATTORNEYS PRINTING SUPPLY FORM NO. 6
CC 1189 (REV. 1973)

Sharon L. Santilena
Notary Public for California

EXHIBIT C

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PROPERTY APPRAISED:

Unimproved property legally described as:

Parcel No. 1: Lots 1, 2, and 3 and that portion of vacated "F" Street lying northerly and adjacent to said Lot 1, all in Block 1 of Sunnyside Addition to the City of Klamath Falls, Klamath County, Oregon.

Parcel No. 2: Lot 7 in Block 9 of Eldorado Addition to the City of Klamath Falls, Klamath County, Oregon.

EXHIBIT 1

EXHIBIT C

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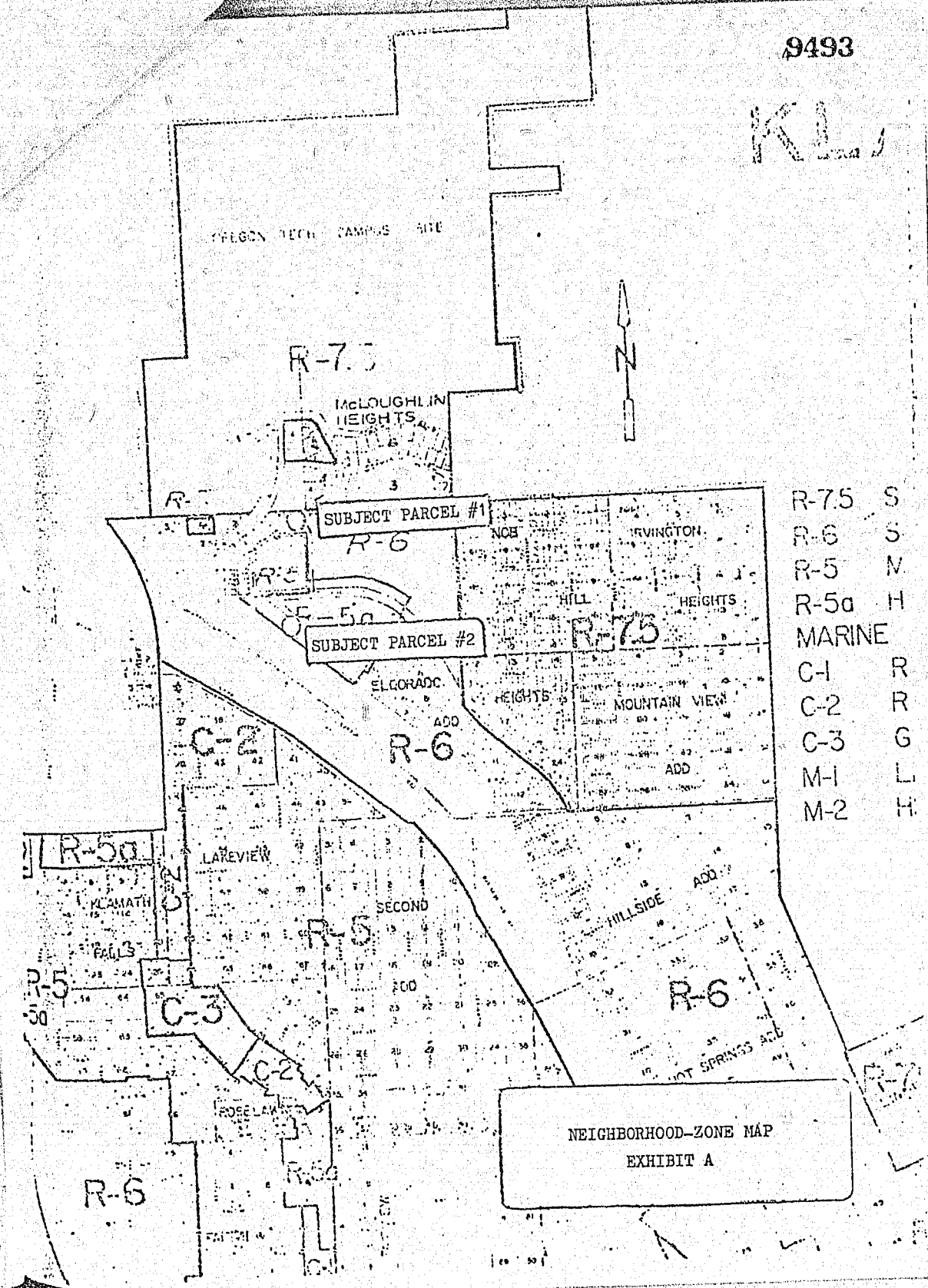


EXHIBIT C

9494

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1770

CERTIFICATE OF DEATH

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC HEALTH

LOCAL REGISTRATION DISTRICT AND "CERTIFICATE" NUMBER

STATE FILE NUMBER

DECEDENT
PERSONAL
DATA

1. NAME OF DECEASED—FIRST NAME JOSEPHINE		1b. MIDDLE NAME OLIVE		1c. LAST NAME WALL		2a. DATE OF DEATH—MONTH, DAY, YEAR March 17, 1974		2b. HOUR 3:00 AM	
3. SEX Female	4. COLOR OR RACE Caucasian	5. BIRTHPLACE (STATE OR FOREIGN COUNTRY) Alameda, Ca.		6. DATE OF BIRTH June 5, 1884		7. AGE (LAST BIRTHDAY) 89 YEARS		IF UNDER 1 YEAR IF UNDER 24 HOURS IF UNDER 1 YEAR IF UNDER 24 HOURS	
8. NAME AND BIRTHPLACE OF FATHER William H. Waltz - Penn.				9. MAIDEN NAME AND BIRTHPLACE OF MOTHER Elizabeth E. Plunket - California					
10. CITIZEN OF WHAT COUNTRY U.S.A.		11. SOCIAL SECURITY NUMBER 567-66-5408		12. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED, SPECIFY Widowed		13. NAME OF SURVIVING SPOUSE (IF WIFE, ENTER MAIDEN NAME) ---			
14. LAST OCCUPATION at home		15. NUMBER OF YEARS IN THIS OCCUPATION ---		16. NAME OF LAST EMPLOYING COMPANY OR FIRM ---		17. KIND OF INDUSTRY OR BUSINESS ---			

PLACE
OF
DEATH

18a. PLACE OF DEATH—NAME OF HOSPITAL OR OTHER IN-PATIENT FACILITY Frigon Convalescent Hospital		18b. STREET ADDRESS—(STREET AND NUMBER, OR LOCATION) 553-Smalley Avenue		18c. INSIDE CITY CORPORATE LIMITS (SPECIFY YES OR NO) yes	
18d. CITY OR TOWN Hayward		18e. COUNTY Alameda		18f. LENGTH OF STAY IN COUNTY OF DEATH 30 YEARS	
18g. CITY OR TOWN San Leandro		18h. COUNTY Alameda		18i. LENGTH OF STAY IN CALIFORNIA Life YEARS	

USUAL
RESIDENCE
IF DEATH OCCURRED IN
INSTITUTION, ENTER
RESIDENCE BEFORE
ADMISSION:

19a. USUAL RESIDENCE—STREET ADDRESS (STREET AND NUMBER OR LOCATION) 2285 Barrow Street		19b. INSIDE CITY CORPORATE LIMITS (SPECIFY YES OR NO) yes		20. NAME AND MAILING ADDRESS OF INFORMANT Salome Whitlow Cose	
19c. CITY OR TOWN San Leandro		19d. COUNTY Alameda		19e. STATE California	
19f. CITY OR TOWN San Leandro		19g. COUNTY Alameda		19h. STATE California	

PHYSICIAN'S
OR CORONER'S
CERTIFICATION

21a. CORONER: I HEREBY CERTIFY THAT DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED ABOVE FROM THE CAUSES STATED BELOW AND THAT I HAVE HELD ON THE REMAINS OF DECEASED AS REQUIRED BY LAW.		21b. PHYSICIAN: I HEREBY CERTIFY THAT DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED ABOVE FROM THE CAUSES STATED BELOW AND THAT I ATTENDED THE DECEASED FROM		21c. PHYSICIAN OR CORONER: SIGNATURE AND DEGREE OR TITLE M. Pollard M.D.		21d. DATE SIGNED 3-18-74	
21e. ADDRESS 480-4th. St. Oakland, Ca.		21f. ADDRESS ---		21g. ADDRESS ---		21h. ADDRESS ---	
21i. ADDRESS ---		21j. ADDRESS ---		21k. ADDRESS ---		21l. ADDRESS ---	

FUNERAL
DIRECTOR
AND
LOCAL
REGISTRAR

22a. SPECIFY BURIAL, ENTOMBMENT OR CREMATION Cremation		22b. DATE 3.20.74		23. NAME OF CEMETERY OR CREMATORY Mt. View Cemetery		24. EMBALMER—SIGNATURE (IF BODY EMBALMED) LICENSE NUMBER not embalmed	
25. NAME OF FUNERAL DIRECTOR (OR PERSON ACTING AS SUCH) Smiley & Gallagher Co., Inc.		26. IF NOT CERTIFIED BY CORONER, MAY THIS DEATH BE REPORTED TO CORONER (SPECIFY YES OR NO) no		27. LOCAL REGISTRAR—SIGNATURE Christy Nelson, M.D.		28. DATE ACCEPTED FOR REGISTRATION BY LOCAL REGISTRAR MAR 20 1974	

CAUSE
OF
DEATH

29. PART I. DEATH WAS CAUSED BY: 4/23		ENTER ONLY ONE CAUSE PER LINE FOR A, B, AND C		APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH	
(A) IMMEDIATE CAUSE Arteriosclerotic heart disease					
(B) DUE TO, OR AS A CONSEQUENCE OF ---					
(C) DUE TO, OR AS A CONSEQUENCE OF ---					

INJURY
INFORMATION

30. PART II. OTHER SIGNIFICANT CONDITIONS—CONTRIBUTING TO DEATH BUT NOT RELATED TO THE IMMEDIATE CAUSE GIVEN IN PART I. Parotitis		31. WAS OPERATION OR DISPOST PERFORMED FOR ANY CONDITION IN ITEMS 29 OR 30? (SPECIFY OPERATION AND/OR DISPOST) no		32a. AUTOPSY (SPECIFY YES OR NO) no		32b. IF YES, WERE FINDINGS CONSIDERED IN DETERMINING CAUSE OF DEATH? (SPECIFY YES OR NO) ---	
33. SPECIFY ACCIDENT, SUICIDE OR HOMICIDE ---		34. PLACE OF INJURY (SPECIFY HOME, FARM, FACTORY, OFFICE BUILDING, ETC.) ---		35. INJURY AT WORK (SPECIFY YES OR NO) ---		36a. DATE OF INJURY—MONTH, DAY, YEAR ---	
37a. PLACE OF INJURY (STREET AND NUMBER OR LOCATION AND CITY OR TOWN) ---		37b. DISTANCE FROM PLACE OF INJURY TO USUAL RESIDENCE (ITEM 19) --- MILES		38. WERE LABORATORY TESTS DONE FOR DRUGS OR TOXIC CHEMICALS (SPECIFY YES OR NO) ---		39. WERE LABORATORY TESTS DONE FOR ALCOHOL (SPECIFY YES OR NO) ---	

THIS IS TO CERTIFY THAT IF BEARING THE SEAL OF THE ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY, THIS IS A TRUE COPY OF A RECORD ON FILE IN THE VITAL REGISTRATION SECTION, ALAMEDA COUNTY PUBLIC HEALTH SERVICE, OAKLAND, CALIFORNIA.

CERTIFICATION
FEE PAID 2.00
RECEIPT# 314622.

MORTON NELSON, M.D., LOCAL REGISTRAR

BY: *Brenda Christy* DEPUTYDATE: **APR 1 1974**EXHIBIT *S*EXHIBIT *C*

9495

LAST WILL
OF
JOSEPHINE W. WALL

EXHIBIT C

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LAST WILL

I, Josephine W. Wall, also known as Josephine O. Wall, a resident of Pasadena, California, declare this to be my Will, and revoke all Wills and Codicils that I have previously made.

FAMILY STATUS: I am a widow. My parents are deceased. I have never had any children, either natural or adopted.

PROPERTY AFFECTED: It is my intention to dispose of all property which I am entitled to dispose of by Will and to exercise any power of appointment I may have at my death.

SPECIFIC GIFTS: I give the following property to the following persons:

(a) \$100.00 to Salome Cose, the daughter of my sister, Salome Whilow.

RESIDUARY CLAUSE: I give the remainder of my estate, real and personal, wherever situated, including all failed, lapsed and renounced gifts, to Edythe Waltz, who is the widow of Ben Waltz, Jr., who was the son of my brother, Ben Waltz, Deceased. In the event that Edythe Waltz should die before I do, then I give all of said property in equal shares to the children of Salome Cose who are living at the time of my death.

OMITTED HEIRS: Except as otherwise provided in this Will, I have intentionally and with full knowledge omitted to provide for my relatives.

CONTEST CLAUSE: If any devisee, legatee or beneficiary under this Will shall contest it or any of its parts or provisions, any share or interest given to that person shall be revoked and augment proportionately the shares of such of the beneficiaries hereunder as shall not have joined or participated in said contest. If any person claims more of my estate than that expressly given to such person by this Will, then such person shall be disinherited and take no part of my estate whatsoever.

DEATH TAXES: Except as otherwise expressly provided, I direct that all estate, inheritance and succession taxes imposed by the federal government, or by any state, district or territory, and occasioned or payable by reason of my death, whether attributable to properties subject to probate administration or to outside transfers, shall be paid out of the residue of my estate disposed of by this Will without apportionment, deduction or reimbursement therefor, and without adjustment thereof among the residuary beneficiaries.

EXECUTOR: I appoint as Executor of this Will the Security Pacific National Bank. I authorize my Executor to sell, subject to such confirmation of court as may be required by law, and to hold, manage and operate any property and any business belonging to my estate at the risk of my estate, the profits and losses therefrom to result to my estate as a whole.

CONSERVATOR OR GUARDIAN: In the event that I should in the future require a guardian or conservator, I nominate Edythe Waltz as guardian or conservator of my person and the Security First National Bank as guardian or

conservator of my estate.

I sign my name to this Will on September 21,
1968, at Pasadena, California.

Josephine O. Wall

WITNESSES: The foregoing instrument, consisting of three pages, including the page signed by the Testatrix, was subscribed on the date which it bears, by the Testatrix, Josephine W. Wall, also known as Josephine O. Wall, and at the time of subscribing was declared by her to be her last Will. The subscription and declaration were made in our presence, we being present at the same time; and we, at her request and in her presence, and in the presence of each other, have affixed our signatures hereto as witnesses.

Beverly McWilliams residing at 2637 Homewood Ave
Altadena, Calif.

Alfred J. Roth residing at 675 Lincoln Ave
Pasadena Calif.

ROBERT W. ANDERSON
GRAY, WHITE & BURKITT
600 Mutual Savings Building
301 East Colorado Boulevard
795-3344 681-066

9300

Attorneys for Respondent

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

In the Matter of the Estate of) NO. NE P 16812
of) AGREEMENT AND STIPULATION OF
JOSEPHINE W. WALL, Deceased) SETTLEMENT;
AND ACKNOWLEDGMENT
SALOME COSE, LEROY E. COSE,)
RONALD R. COSE, Contestants)
vs.)
EDYTHE R. WALTZ and SECURITY)
PACIFIC NATIONAL BANK,)
Respondents)

This Agreement and Stipulation is entered into among Salome
Cose, Leroy E. Cose, Ronald R. Cose, and Edythe R. Waltz.

RECITALS:

1. Josephine W. Wall executed a Will, dated September 26,
1968, a true copy of which is attached hereto as Schedule A.
2. The Will of the said Josephine W. Wall was submitted to
the within Court with the request that it be admitted to probate.
3. Salome Cose, Leroy E. Cose, and Ronald R. Cose filed

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EXHIBIT

(213) 681-4408
12151 707-1266

I hereby certify that the within instrument was received and filed for record on the 24th day of
June A.D., 1976 at 10:33 o'clock A.M., and duly recorded in Vol. M 76
of DEEDS on Page 9489.

FEE \$ 81.00

WM. D. MILNE, County Clerk

By *Hazeld Magie* Deputy

in the within Court a Contest in Opposition to Probate of
 2 Purported Will to which Answers have been filed on behalf of
 3 Edythe R. Waltz and Security Pacific National Bank.

4 4. The Security Pacific National Bank has been appointed as
 5 Special Administrator of the above-entitled estate.

6 5. The parties hereto desire to settle all matters as among
 7 them and including, but not limited to, the pending Contest filed
 8 by Salome Cose, Leroy E. Cose, and Ronald R. Cose.

9 NOW, THEREFORE, in consideration of the recitals, covenants,
 10 and conditions herein set forth, it is agreed as follows:

11 1. Appointment of Executor. The Will of Josephine W.
 12 Wall, dated September 26, 1968, shall, subject to the Order of
 13 the above Court, be admitted to probate and administration in the
 14 Superior Court of Los Angeles County and, Salome Cose, Leroy E.
 15 Cose, and Ronald R. Cose shall, concurrently with the execution
 16 of this Agreement, execute and file in the foregoing probate
 17 proceedings No. NE P 16812, a Dismissal With ^{out} Prejudice of the
 18 pending Contest in Opposition to Probate of Purported Will.

19 2. Payment of Debts, Costs of Administration, and Taxes.
 20 All costs of administration, debts of the decedent as allowed by
 21 the Court, and income taxes, inheritance taxes, and estate taxes,
 22 shall be paid from the general residue of the estate, and no
 23 charging or prorating of said costs of administration, debts of
 24 the decedent, income taxes, inheritance taxes, and estate taxes
 25 shall be made against any of the parties to the within Agreement.

26 3. Distribution of Estate. Subject to approval of this
 27 Court, the net residue of the estate remaining after payment of
 28 costs of administration, debts as allowed by Court, income taxes,

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(213) 651-4408
 (213) 707-1266

I hereby certify that the within instrument was received and filed for record on the 24th day of
 June A.D., 19 76 at 10:33 o'clock A.M., and duly recorded in Vol. M 76
 of DEEDS on Page 9489.

FEE \$ 81.00

WM. D. MILNE, County Clerk

By Hazeld Maje Deputy

inheritance taxes, and estate taxes, as above set forth, shall be distributed as follows:

A. To Salome Cose, the undivided one-half interest in unimproved land known as 2846 Van Buren Street, Alameda, California, situated in the County of Alameda, City of Alameda, State of California, and described as follows:

Beginning at a point of intersection of the Southwestern line of Van Buren Street, with the Southeaster line of Lot 6 in Block 93, as said street, lot and block are shown on "Map No. 1 of a portion of the Sather Trust Property", filed September 17, 1891, in the office of the County Recorder of Alameda County and of record in Map Book 17, at Page 85; running thence Southwesterly at right angles to said line of Van Buren Street 130.62 feet; thence Southeasterly parallel with said line of Van Buren Street 55 feet, 2 inches, to a point on the direct extension Southwesterly of the Northwestern line of the parcel of land described in the Deed from Raymond L. Deaton, et ux, to William Rodenburg, et ux, dated January 5, 1965, and recorded January 19, 1965, on Reel 1417, Image 118, Official Records; thence Northeasterly along the last named line and along the Northwestern line of said parcel of land conveyed to Rodenburg 150.62 feet to the said Southwestern line of Van Buren Street; thence Northwesterly along said line of Van Buren Street 55 feet, 2 inches to the point of beginning.

B. The rest, residue, and remainder of the estate shall be distributed 4/10 (forty percent) to Salome Cose, and 6/10 (sixty percent) to Edythe R. Waltz.

4. Assignment. Each of the parties hereto does hereby, for valuable consideration, receipt of which is hereby acknowledged, assign, sell, and transfer to the other parties hereto, the interest of each such party to the extent set forth in the preceding paragraph 3, so as to result in Salome Cose receiving the real property known as 2846 Van Buren Street, Alameda, California, and more particularly described above, and a 4/10 (forty percent) interest in the residue, and Edythe R. Waltz

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(213) 651-4408
(213) 707-1208

I hereby certify that the within instrument was received and filed for record on the 24th day of June, 1976, at 10:33 o'clock A.M., and duly recorded in Vol. DEEDS on Page 9489.

FEE \$ 81.00

WM. D. MILNE, County Clerk

By *[Signature]* Deputy

receiving a 6/10 (sixty percent) interest in the residue.

2 5. Heirs, Executors, etc. This Agreement and Stipulation
3 shall be binding on the heirs, executors, administrators,
4 successors, and assigns of the undersigned, and all of the
5 rights, benefits, and privileges of this Agreement and
6 Stipulation shall inure to their successors and assigns.

7 6. Final Settlement. This Agreement and Stipulation shall
8 be, and it is intended to be, a full, complete, and final settle-
9 ment of all the past, present, and future rights in interest of
10 the parties hereto with respect to each other and with respect to
11 all rights, title, and interest of any of the parties under and
12 to the estate of Josephine W. Wall, deceased.

13 IN WITNESS WHEREOF, the parties hereto have executed this
14 Agreement and Stipulation at Pasadena, California, on October
15 _____, 1974.

16 Dated: Nov. 2, 1974

Salome Cose
Salome Cose

18 Dated: 8 Nov, 1974

Leroy E. Cose
Leroy E. Cose

19 Dated: Nov 9, 1974

Ronald R. Cose
Ronald R. Cose

21 Dated: November 27, 1974

Eaythe R. Waltz
Eaythe R. Waltz

(213) 681-4408
(213) 707-1266

I hereby certify that the within instrument was received and filed for record on the 24th day of
June A.D., 1976 at 10:33 o'clock A.M., and duly recorded in Vol. M 76,
of DEEDS on Page 9489.

FEE \$ 81.00

WM. D. MILNE, County Clerk

By Hazel M. Mize Deputy

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ACKNOWLEDGMENT

2 The Security Pacific National Bank does hereby acknowledge the
3 receipt of a copy of the foregoing Agreement and Stipulation of
4 Settlement and, subject to approval of distribution by the Court pur-
5 suant to the terms of the foregoing Agreement and Stipulation of
6 Settlement, the undersigned agrees to carry out such Agreement and
7 Stipulation of Settlement.

8 Dated: December 3, 1974.

SECURITY PACIFIC NATIONAL BANK

By: Ruby W. Moore

RUBY W. MOORE
Trust Officer

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12131 681-4/08
12131 707-1268

I hereby certify that the within instrument was received and filed for record on the 24th day of
June A.D., 19 76 at 10:33 o'clock A M., and duly recorded in Vol. M 76,
of DEEDS on Page 9489.

FEE \$ 81.00

WM. D. MILNE, County Clerk

By Hazel Magie Deputy