

## AFFIDAVIT

THIS AFFIDAVIT IS BEING CREATED TO ESTABLISH THE FOLLOWING FACTS:

- 1) The St. Vincent de Paul Society is a worldwide organization operating independently, but somewhat under the auspices of the Roman Catholic Church. Most of the Dioceses of the United States have chapters of the St. Vincent de Paul Society and in each of those instances these chapters are legally constituted nonprofit corporations.
- 2) The Immaculate Heart of Mary Parish is a parish located in Santa Ana, California with a St. Vincent de Paul Society Conference in existence and operative for the past 20 years. When that Conference was formed, Orange County was part of the Los Angeles Archdiocese. Earlier in the past decade the County of Orange grew large enough that the Catholic Church divided the Los Angeles Archdiocese and a separate diocese of Orange was created.
- 3) Shortly after the separate diocese of Orange was created, the St. Vincent de Paul Society conference located in the County of Orange, joined together the name of "Council of Orange County-Society of St. Vincent de Paul." This is the validly existing corporate entity in Orange County under whose auspices the various conferences, including the Immaculate Heart of Mary Conference are constituted and operating at this time. The St. Vincent de Paul Society has a board of directors and officers including Elmo Morgan, President, and Joseph D. Kay, Secretary.
- 4) The Immaculate Heart of Mary Conference is an unincorporated association. The Immaculate Heart of Mary Conference is neither a corporation, a partnership nor one of the normal recognized entities that holds title to real property. It is the opinion of Frank L. Schmeh (attorney for Orange County, St. Vincent de Paul Society) that the Deed recorded April 12, 1973 in Volume 73, page 4325 in Klamath County, Oregon (see attached Exhibit "A") was invalid in that the Immaculate Heart of Mary Conference is not a recognized entity; that holds title to real property.
- 5) Peter J. Glenane and Marjorie K. Sadler are appointed column trustees under the unrecorded trust agreement of the Immaculate Heart of Mary Parish for the purpose of executing this affidavit.
- 6) It is the intent of this affidavit to establish the fact that the conveyance between Ruth B. Littlejohn as grantor and St. Vincent de Paul Society, Immaculate Heart of Mary Conference as Grantee, as described above, was an invalid conveyance. It is the intent of Immaculate Heart of Mary Conference and the St. Vincent de Paul Society to relinquish any and all interest that they may have in the following described property: Lot 45, Block 26 First Addition to Klamath Forest Estates, Klamath County, Oregon.

NOW THEREFORE, the column trustees for the Immaculate Heart of Mary Parish, the President and Secretary of St. Vincent de Paul Society and the Attorney of St. Vincent de Paul execute this affidavit for the purpose of inducing Transamerica Title Insurance Company, Inc., a California Corporation to insure the title to the above described property.

Peter J. Glenane

trustee- Immaculate Heart of Mary Parish  
Peter J. Glenane

Marjorie K. Sadler

trustee Immaculate Heart of Mary Parish  
Marjorie K. Sadler

Elmo Morgan  
President - St. Vincent de Paul Society

Joseph D. Kay  
Secretary - St. Vincent de Paul Society  
Joseph D. Kay

Frank L. Schmeh

attorney for St. Vincent de Paul Society

FORM No. 633 WARRANTY DEED 1967/53

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KNOW ALL MEN BY THESE PRESENTS, That RUTH B. LITTLEJOHN

to grantor paid by ST. VINCENT DEPAUL SOCIETY, IMMACULATE HEART OF MARY CONFERENCE

hereinafter called the grantor, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

Lot 45, Block 26  
First Addition to Klamath Forest Estates  
as recorded in Klamath County, Oregon

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ None. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which):

In construing this deed and where the context so requires, the singular includes the plural.  
WITNESS grantor's hand this 30th day of March, 1973

Ruth B. Littlejohn  
Ruth B. Littlejohn

California Orange, ) ss. March 30, 1973  
STATE OF OREGON, County of  
Personally appeared the above named Ruth B. Littlejohn

and acknowledged the foregoing instrument to be her voluntary act and deed.

OFFICIAL SEAL  
SHARON E. RUFFY  
NOTARY PUBLIC-CALIFORNIA  
PRINCIPAL OFFICE IN  
ORANGE COUNTY  
My Commission Expires May 24, 1975

Before me: Sharon E. Ruffy  
Notary Public for Oregon  
My commission expires

WARRANTY DEED

STATE OF OREGON

County of KLAMATH  
I certify that the within instrument was received for record on the 12th day of April, 1973, at 11:57 o'clock A.M., and recorded in book 1175 on page 4325 or as filing fee number 75265. Record of Deeds of said County.  
Witness my hand and seal of County allized.

AFTER RECORDING RETURN TO  
St. Vincent De Paul Society  
Immaculate Heart of Mary  
Conference  
1100 S. Center Street  
Santa Ana, California 92704

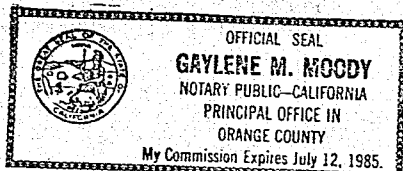
SH. B. WILLIAMS  
Title  
Deputy

1910

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss.

On January 20, 1982, before me, the undersigned  
a Notary Public in and for said State, personally appeared  
Peter J. Glenane known to me to  
be the person whose name is subscribed to the within instrument  
as a trustee of Immaculate Heart of Mary Conference, St. Vincent de  
Paul Society and acknowledged to me that he executed the foregoing  
instrument in that capacity as trustee for said Immaculate Heart  
of Mary Conference, St. Vincent de Paul Society, an unincorporated  
association.

WITNESS my hand and official seal.

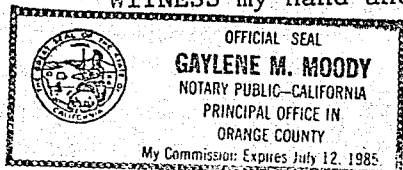


Gaylene M. Moody  
Notary Public

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss.

On January 20, 1982, before me, the undersigned  
a Notary Public in and for said State, personally appeared  
Marjorie K. Sadler known to me to  
be the person whose name is subscribed to the within instrument  
as a trustee of Immaculate Heart of Mary Conference, St. Vincent de  
Paul Society and acknowledged to me that she executed the foregoing  
instrument in that capacity as trustee for said Immaculate Heart  
of Mary Conference, St. Vincent de Paul Society, an unincorporated  
association.

WITNESS my hand and official seal.

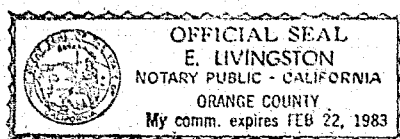


Gaylene M. Moody  
Notary Public

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss.

On January 22, 1982, before me, the undersigned,  
a Notary Public in and for said State, personally appeared ELMO  
MORGAN, known to me to be the President, and JOSEPH D. KAY known to  
me to be the Secretary of the corporation that executed the within in-  
strument, and known to me to be the persons who executed the within  
instrument on behalf of the corporation therein named, and acknow-  
ledged to me that such corporation executed the within instrument pur-  
suant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.



E. Livingston  
Notary Public  
AFTER RECORDING RETURN TO:  
Frank L. Schmeh  
17775 W 17th St - North Building

State of OREGON: COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the

12 day of Feb. A.D., 1982 at 3:34 o'clock P. M., and duly recorded in  
Vol 182 of Deeds on page 1908.

Fee \$ 12.00

EVELYN BIEHN  
COUNTY CLERK  
By Joseph M. Davis deputy