

K 35704  
31238

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AFFIDAVIT

STATE OF OREGON                    )  
County of Multnomah               ) ss.

I, HARRY MITTLEMAN, MARIAN ABRAMS, JEANNE NEWMARK,  
RITA PHILIP, GAYLE ROSENCRANTZ and MARDI SUE LIPPMAN, each  
being first duly sworn, depose and state:

That affiant Harry Mittleman was the husband of  
Helen R. Mittleman, deceased, that affiants Marian Abrams  
and Jeanne Newmark are daughters of Helen R. Mittleman, that  
affiants Rita Philip, Gayle Rosencrantz and Mardi Sue Lippman  
are granddaughters of Helen R. Mittleman, daughters of  
Babette Schnitzer, who met her demise prior to June 15,  
1976.

That on or about the 13th day of January, 1942,  
Harry Mittleman as Trustor gave to Helen R. Mittleman as  
Trustee the sum of \$10,000.00 for the benefit of their four  
daughters, which sum was invested and reinvested by her over  
the years in certain real properties in Portland, Oregon,  
which properties in 1972 were exchanged together with properties  
of affiant Harry Mittleman and Harry Mittleman, Inc. and  
Helen R. Mittleman for the land and buildings housing some  
29 branches of the United States National Bank of Oregon,  
with the title in the real property of two of said branches  
taken in the name of Helen Rena Mittleman (one located in  
Klamath Falls, Oregon and one located in Ashland, Oregon)

and the title of two others taken in the name of Helen R. Mittleman.

That the trust agreement dated the 13th day of January, 1942 provides in paragraph 9 page 6 of the Agreement, that any property acquired by Helen R. Mittleman as Trustee would be taken in the name of Helen Rena Mittleman without the designation as Trustee, while property acquired by her in her individual capacity would be taken in the name of Helen R. Mittleman, so that all property, title to which was taken in the name of Helen Rena Mittleman after January 13, 1942, was taken by her as Trustee.

That each of the affiants is an heir-at-law of Helen R. Mittleman (Helen Rena Mittleman), who died intestate on June 15, 1976; that affiant Harry Mittleman served as the administrator of the Estate of Helen R. Mittleman and as such administered the assets of the estate which included two other branches of the United States National Bank in Portland and in Brookings, Oregon, which were owned individually by Helen R. Mittleman. The Klamath Falls and Ashland bank branch properties, as trust properties, were not included in the inventory of the estate.

That in the process of administering the estate of Charlotte M. Haimsohn, a daughter of Helen R. Mittleman, who met her demise after the demise of Helen R. Mittleman, it became necessary and advisable to begin the liquidation of the assets of the trust and it then came to the attention of



the trustee that the title to the two branches of the United States National Bank, which are described in preliminary report No. 54818 of the Crater Title Insurance Company and in preliminary report No. K35705 of the Klamath County Title Company, which were assets of the trust estate, were held in the name of Helen Rena Mittleman without designation as Trustee, but that the use of the middle name Rena identified these properties as trust assets.

That separate books and records of the trust are maintained in the office of Harry Mittleman in the name of Helen Rena Mittleman and that subsequent to her death, as provided for in the Trust Agreement and with the consent of all of the affiants, Harry Mittleman succeeded Helen Rena Mittleman as trustee and has so acted and now acts as trustee.

That each of the affiants is making this affidavit in order to induce Crater Title Insurance Company and Klamath County Title Company to insure title in Harry Mittleman, Inc., an Oregon corporation, which corporation is purchasing the Klamath Falls and Ashland properties from the trust. That the books and records of said trust reflect the acquisition of said properties in exchange for other properties belonging to the trustee in 1972 and that the aforesaid properties have been held by the trustee since that date.

That all of the affiants as heirs-at-law of Helen R. Mittleman are executing quit-claim deeds conveying said Klamath Falls and Ashland branch bank properties to Harry

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Mittleman, as Trustee, as further inducement to said title insurance companies to insure title in Harry Mittleman, Inc. IN WITNESS WHEREOF, each of the affiants have signed this affidavit for the purposes hereinbefore set forth this 30th day of September, 1983.

Harry Mittleman  
Harry Mittleman

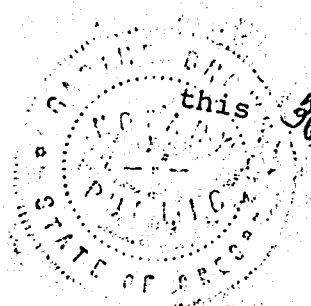
Marian Abrams  
Marian Abrams

Jeanne Newmark  
Jeanne Newmark

Rita Philip  
Rita Philip

Gayle Rosencrantz  
Gayle Rosencrantz

Mardi Sue Lippman  
Mardi Sue Lippman

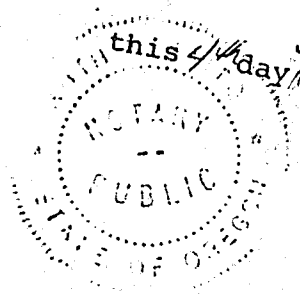


this 30th day of September, 1983. Harry Mittleman subscribed and sworn to before me

Kathie Brown  
Notary Public for Oregon  
My commission expires: 2/12/86

this 6th day of September, 1983. Marian Abrams subscribed and sworn to before me this

Ruth J. Sauto  
Notary Public for Oregon  
My commission expires: 1-25-84

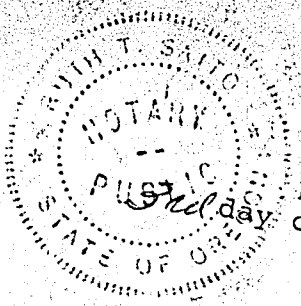


this 4th day of September, 1983. Jeanne Newmark subscribed and sworn to before me

Ruth J. Sauto  
Notary Public for Oregon  
My commission expires: 1-25-84

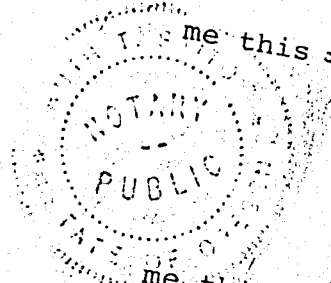


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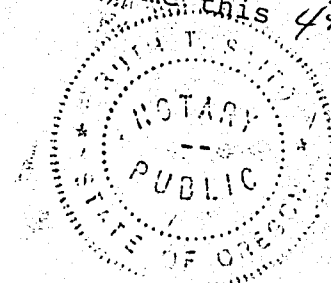
Rita Philip subscribed and sworn to before me this  
5th day of September, 1983.  
*October*

*Ruth T. Saito*  
Notary Public for Oregon  
My commission expires: 1-25-84



Gayle Rosencrantz subscribed and sworn to before  
me this 5th day of September, 1983.  
*October*

*Ruth T. Saito*  
Notary Public for Oregon  
My commission expires: 1-25-84



Mardi Sue Lippman subscribed and sworn to before  
me this 4th day of September, 1983.  
*October*

*Ruth T. Saito*  
Notary Public for Oregon  
My commission expires: 1-25-84

STATE OF OREGON, )  
County of Klamath )  
Filed for record at request of

on this 5th day of Dec. A.D. 19 83  
at 2:23 o'clock P M, and duly  
recorded in Vol. M83 of Deeds  
Page 20728

EVELYN BIEHN, County Clerk  
By *Paul Smith* Deputy  
Fee 20.00

Ret:  
Klamath County title