

FILED 8-7-15 SE

STATE OF OREGON

CLERK OF COURT

81145

UNDER ORS 114.505-555

1987 MAR 13 PM 2:58

STATE OF ARIZONA )  
 ) ss.  
 County of Pima )

CLERK OF COURT

BY *Daniel M. Hester*

JEAN MARIE ELLIS, being duly sworn, on oath deposes  
 and says:

1. JAMES V. FAY died on October 3, 1985, in the  
 County of Pima, State of Arizona, more than thirty (30) days  
 prior to the execution of this Affidavit.

2. The value of decedent's entire estate, wherever  
 located, does not exceed personal property having a fair  
 market value of Ten Thousand Dollars (\$10,000) or real property  
 having a fair market value of Twenty Thousand Dollars (\$20,000).

3. That Affiant is one of the claiming successors  
 under the Last Will and Testament of the decedent.

4. The real property of the decedent located in  
 Klamath County, Oregon, is described as follows:

Lot 16 in Block 3 of WOODLAND PARK, together with an  
 undivided 1/88th interest in the following described  
 land, 2 parcels situated in Lots 1 and 2, Section 15,  
 Township 34 South, Range 7 East of the Willamette Meridian,  
 and being more particularly described as follows:

PARCEL 1:

Beginning at the northwest corner of said Section 15,  
 Township 34 South, Range 7 East of the Willamette Meridian,  
 and running; thence along the North line of said Section  
 North 89° 42' 15" East 400 feet; thence South 62.42  
 feet; thence South 46° 57' 20" West 408.82 feet to the  
 Northeasterly bank of the Williamson River; thence following  
 said river bank North 37° 53' 20" West 136.90 feet;  
 thence North 16° 33' West 60.98 feet to the West line  
 of Section 15; thence Northerly on said Section line  
 172.92 feet to the point of beginning.

PARCEL 2:

Beginning at the Northwest corner of Section 15, Township  
 34 South, Range 7 East of the Willamette Meridian and  
 running thence North 89° 42' 15" East 400.0 feet along

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the North line of said Section 15; thence South 62.42 feet; thence South 50° 43' 50" East 453.16 feet; thence South 76° 17' 30" East 886.79 feet to the true point of beginning of this description; thence South 35° 56' 30" West 446.55 feet to a point on the Northeasterly bank of Williamson River; thence South 45° 32' 20" East 84.00 feet; thence North 44° 52' 10" East 411.58 feet; thence North 34° 25' 40" West 156.01 feet, more or less, to the true point of beginning of this description.

5. Funeral expenses, expenses of last illness, and all debts known by the claiming successors have been paid.

6. No Federal, Arizona, or Oregon Estate Tax is due on decedent's estate.

7. A certified copy of the death certificate has been attached to this affidavit.

8. No application or petition for appointment of a Personal Representative is pending or has been granted in Arizona, Oregon, or any jurisdiction.

9. The heirs of decedent entitled to receive the real property located in the State of Oregon are:

REBECCA ELLIS

Chilao Ranger Station  
LaCanada, CA 91011

DEBORAH ELLIS

Chilao Ranger Station  
LaCanada, CA 91011

REBECCA FAY DeBELLIS

18900 Cajon Blvd.  
San Bernadino, CA 92407

ROBIN FAY DeBELLIS

18900 Cajon Blvd.  
San Bernadino, CA 92407

JAMES FAY (whose correct  
legal name is PATRICK  
JAMES FAY)

32 S. Azurita  
Tucson, AZ 85745



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Each of these heirs has been sent a copy of the Affidavit and a copy of the Will.

10. The decedent died testate and a copy of his Will is attached to this Affidavit.

11. A copy of this Affidavit and its attachments including a copy of the Will have been delivered or mailed to each devisee at his or her last known address. A list of the devisees and their addresses are:

MARIE KARTHAUS

71 Troy Avenue  
Long Beach, NY 11561

REBECCA ELLIS

Chilao Ranger Station  
LaCanada, CA 91011

DEBORAH ELLIS

Chilao Ranger Station  
LaCanada, CA 91011

JEAN MARIE ELLIS

Chilao Ranger Station  
LaCanada, CA 91011

REBECCA FAY DeBELLIS

18900 Cajon Blvd.  
San Bernadino, CA 92407

ROBIN FAY DeBELLIS

18900 Cajon Blvd.  
San Bernadino, CA 92407

JAMES FAY (whose correct  
legal name is PATRICK  
JAMES FAY)

32 S. Azurita  
Tucson, AZ 85745

12. The above described real property located in Klamath County, Oregon, is divided into five (5) equal shares, pursuant to the Will of JAMES V. FAY, and one share is given to each of his grandchildren, REBECCA ELLIS, DEBORAH ELLIS, REBECCA FAY DeBELLIS, ROBIN FAY DeBELLIS, and JAMES FAY, whose addresses are found above.

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13. A copy of this Affidavit has been mailed to the Adult and Family Services Division, Estate Administration Section, Salem, Oregon, and to the Department of Revenue, Salem, Oregon.

14. A copy of this Affidavit and a copy of the Will has been filed with the County Clerk in each county where the decedent's real property is located.

DATED this 9 day of March, 1987.

Jean Marie Ellis  
JEAN MARIE ELLIS  
Affiant

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of March, 1987, by JEAN MARIE ELLIS.

Joseph A. Riley Jr.  
Notary Public

My Commission Expires:

August 19, 1987



# STATE OF ARIZONA

ORIGINAL  
STATE COPY

## STATE OF ARIZONA DEPARTMENT OF HEALTH SERVICES - VITAL RECORDS SECTION CERTIFICATE OF DEATH

DEATH NO.  
D 102-

19887

NAME OF DECEASED 1. <b>JAMES VINCENT FAY</b>		DEATH NO. D 102-	
RACE (e.g., white, black, American Indian, etc.) 4A. <b>White</b>		SEX 2. <b>MALE</b>	
PLACE OF DEATH 4A. <b>Tucson</b>		DATE OF DEATH 3. <b>October 3, 1985</b>	
DATE OF BIRTH 5. <b>June 26, 1917</b>		WAS DECEASED EVER IN U.S. ARMED FORCES? (SPECIFY YES OR NO) 5. <b>Yes</b>	
STATE OF (if not in USA, name country) 6. <b>New York</b>		C. HOSPITAL OR INSTITUTION 7. <b>Tucson Medical Center</b>	
CITIZEN OF WHAT COUNTRY? 12. <b>U.S.A.</b>		IF RESIDENCE, GIVE STREET ADDRESS 8. <b>14A Letter Carrier</b>	
USUAL RESIDENCE 15. <b>Arizona</b>		KIND OF BUSINESS OR INDUSTRY 9. <b>U.S. Government</b>	
STREET ADDRESS OR R.F.D. 15E. <b>4766 E. Hawthorne</b>		D. ZIP CODE 85711	
FATHER'S NAME 18. <b>James I. Fay</b>		MOTHER'S MAIDEN NAME 19. <b>Mary Sullivan</b>	
INFORMANT'S SIGNATURE By: <b>Jean M. Ellis</b>		RELATIONSHIP TO DECEASED 21. <b>Daughter</b>	
BURIAL, CREMATION, REMOVAL OTHER (Specify) 23. <b>Cremation</b>		ADDRESS 22. <b>Chilao Ranger Station, La Canada, CA 91011</b>	
DATE 24. <b>10-5-85</b>		CITY AND STATE	
FUNERAL HOME 25. <b>Evergreen Crematory, Tucson, AZ</b>		CITY AND STATE	
TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSE(S) STATED. 31. AND TITLE 32. <b>10-5-85</b>		ON THE BASIS OF EXAMINATION AND/OR INVESTIGATION, IN MY OPINION DEATH OCCURRED AT THE TIME, DATE AND PLACE DUE TO THE CAUSE(S) AND MANNER STATED. 35. AND TITLE 36. <b>1650</b>	
NAME AND ADDRESS OF CERTIFIER, PHYSICIAN, MEDICAL EXAMINER OR TRIBAL LAW ENFORCEMENT AUTHORITY (Type or print) 40. <b>Steven J. Ketchel, M.D., 1604 N. Country Club, Tucson, AZ 85718</b>		FURNERIAL DIRECTOR or person in charge of such (SIGNATURE) 26. <b>Edward J. Sullivan</b>	
DATE REGISTERED 41. <b>Oct. 8, 1985</b>		REG. DISTRICT 44. <b>1016</b>	
REG. FILE NO. 42. <b>4108</b>		DATE RCVD. IN STATE OFFICE 45.	
A. IMMEDIATE CAUSE B. DUE TO, OR AS A CONSEQUENCE OF: C. DUE TO, OR AS A CONSEQUENCE OF:		CHRONIC OBSTRUCTIVE PULMONARY DISEASE	
PART II. OTHER SIGNIFICANT CONDITIONS AND/OR ENVIRONMENTAL FACTORS (if adult female was she pregnant within past 90 days?)		APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH <b>1 yr</b>	
MANNER OF DEATH 46. <b>CHRONIC OBSTRUCTIVE PULMONARY DISEASE</b>		AUTOPSY (Specify yes or no) 48. <b>No</b>	
DATE OF INJURY 51. <b>MO DAY YR.</b>		WAS CASE REFERRED TO MEDICAL EXAMINER 49. <b>Yes - Cremation</b>	
PLACE OF INJURY (At home, farm, street, factory, office building, etc.) SPECIFY 55.		DESCRIBE HOW INJURY OCCURRED 54.	
SUPPLEMENTARY ENTRIES STATE OF ARIZONA		WHERE LOCATED? 56.	
COUNTY OF PIMA		STREET ADDRESS	
		CITY OR TOWN	
		STATE	

CERTIFIED COPY OF VITAL RECORD

Date issued

October 9, 1985

*Patricia A. Nolan M.D.*  
PATRICIA A. NOLAN, M.D.  
County Registrar and Director  
Pima County Health Department

*Michael Checkon*  
MICHAEL CHECKON  
Chief Deputy County Registrar

This copy not valid unless prepared on safety paper displaying county seal in color and impressed with raised seal of issuing agency.

WARNING: IT IS ILLEGAL TO DUPLICATE THIS COPY

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LAST WILL AND TESTAMENT

OF

JAMES VINCENT FAY

I, JAMES VINCENT FAY, of the City of Tucson, County of Pima, State of Arizona, do make, publish and declare the following as and to be my Last Will and Testament:

FIRST: I direct my Personal Representative, hereinafter named, to pay my just debts, including the expenses of my last illness, my funeral, and of the administration of my estate as soon after my decease as shall be convenient and practicable.

SECOND: I direct my Personal Representative to keep my funeral simple and that my body be cremated and the remains deposited of as the Personal Representative sees fit.

THIRD: I hereby give, devise and bequeath all of the proceeds and earnings in that certain life insurance policy wherein I am the insured and wherein the Federal Employees Insurance Company is the insurer as follows:

1. I direct my sister MARIE KARTHAUS, of Long Beach, New York, cause to be paid and pay from said insurance proceeds all of my funeral expenses, and after deducting the sums aforesaid from said insurance proceeds, the remainder I hereby give, devise and bequeath as follows:

- a) Three-fourths I give to my sister, MARIE KARTHAUS, and
- b) One-eighth to REBECCA ELLIS, and
- c) One-eighth to DEBORAH ELLIS.

Page One

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FOURTH: I hereby direct that all the property that I own in Oregon be divided into five (5) equal shares and I hereby give, devise and bequeath one (1) share each to my grandchildren, REBECCA ELLIS, DEBORAH ELLIS, REBECCA FAY DeBELLIS, ROBIN FAY DeBELLIS, and JAMES FAY.

FIFTH: I hereby give, devise and bequeath all my musical equipment such as records, tapes, recorders or radios, to my sister, MARIE KARTHAUS, to be disposed of by her as she sees fit.

SIXTH: I give, devise and bequeath to my daughter, JEAN MARIE ELLIS, and my friend, CARL J. KENNEDY, in equal shares my home located at 4766 East Hawthorne, Tucson, Arizona 85711. In the event that CARL J. KENNEDY does not survive me, I give, devise and bequeath the share that he would have taken to my sister, MARIE KARTHAUS, or if she predecease me, to her children.

SEVENTH: All of the rest, residue and remainder of my estate, real, personal and mixed, wheresoever situate and howsoever held, of which I may die seized or possessed, or to which I may be entitled at the time of decease, I give, devise and bequeath to my daughter, JEAN MARIE ELLIS, if she survives me.

In the event that my daughter, JEAN MARIE ELLIS, does not survive me, I give, devise and bequeath the same and equal shares to her children then living and to the living issue, upon the principle of representative, of each child of hers who may then be deceased leaving issue surviving.

Page Two

James V. Fay

J.R.

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EIGHTH: I nominate, constitute and appoint my good friend, CARL J. KENNEDY, as the Personal Representative of this my Last Will and Testament, and I direct that he may serve as such without bond or other security. In the event that CARL J. KENNEDY is unable to unwilling for any reason to qualify or serve, I then nominate, constitute and appoint my daughter, JEAN MARIE ELLIS, as the Personal Representative of this my Last Will and Testament, and I direct that she may serve as such without bond or other security.

NINTH: I hereby revoke all Wills and Codicils heretofore by me made.

IN WITNESS WHEREOF I have hereunto set my hand this 15<sup>th</sup> day of July, 1985.

James V. Fay  
JAMES VINCENT FAY

The foregoing instrument, consisting of three (3) typewritten pages, including the page hereof, was on the day of the date thereof, signed, published and declared by JAMES VINCENT FAY, as and to be his Last Will and Testament, in the presence of us, the undersigned, who, at his request, and in his sight and presence, and in the sight and presence of each other, have hereunto subscribed our names as witnesses.

Jude Riley, residing at 2201 E Prince  
Tucson, Arizona

Martha Riley, residing at 2201 E Prince Rd.  
Tucson, Arizona



STATE OF ARIZONA )  
COUNTY OF PIMA ) ss.

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We, JAMES VINCENT FAY, JOE RILEY, and LOREHA RILEY, the Testator and the Witnesses, respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testator signed and executed the instrument as his last Will and that he had signed willingly or directed another to sign for her, and that he executed it as his free and voluntary act for the purposes therein expressed, and that each of the witnesses, in the presence of the Testator, signed the Will as witness and that to the best of his knowledge, the Testator was at that time eighteen (18) or more years of age, of sound mind and under no constraint or undue influence.

James V. Fay  
JAMES VINCENT RAY

Joe Riley  
Witness

Loretta Riley  
Witness

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by JAMES VINCENT FAY, the Testator, and subscribed and sworn to before me by JOE RILEY and LOREHA RILEY Witnesses, this 1st day of July, 1985.

[Signature]  
Notary Public

My Commission Expires:

August 19, 1987

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STATE OF ARIZONA

ss.

COUNTY OF PIMA

We, JAMES VINCENT RAY, June 1987, and

the Testator and the Witnesses,

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respectively, whose names are signed to the attached or foregoing

instrument, being first duly sworn, do hereby declare to the

undersigned authority that the Testator signed and executed the

instrument as his last will and that he had signed willingly or

directed another to sign for him, and that he executed it as his

free and voluntary act for the purposes therein expressed, and

that each of the witnesses, in the presence of the Testator, signed

the will as witness and that to the best of his knowledge, the

Testator was at that time eighteen (18) or more years of age, of

sound mind and under no constraint or undue influence.

STATE OF OREGON

County of Klamath

I, LYN G. HARDY

Clerk of the Circuit Court of the County

of Klamath and the State of Oregon do hereby certify that the forego-

ing copy has been by me compared with the original, and that it is a

transcript thereof, and of the whole of each original as the same ap-

pears on file or of record in my office and that I have hereunto set my hand and affixed

IN TESTIMONY WHEREOF, this 12 day of March A.D. 1987

the seal of said Court, this 12 day of March A.D. 1987

LYN G. HARDY, Clerk of Court



WITNESSED before me by JAMES VINCENT RAY, and subscribed and sworn to before

Rev.

JOSEPH H. RILEY, JR.

ATTORNEY AT LAW

P.O. BOX 1842

TUCSON, ARIZONA 85702

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Joseph H. Riley, Jr., Attorney at Law the 3rd day

of November A.D. 1987 at 10:18 o'clock A.M. and duly recorded in Vol. M87

of Deeds on Page 19883

Evelyn Biehn, County Clerk

By

FEE \$50.00

Smith