

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR KLAMATH COUNTY

SMALL ESTATE OF

VINCENT BODNER, SR., Deceased.

SMALL ESTATE NO. 88-5-S.E.

AFFIDAVIT OF CLAIMING SUCCESSOR
TESTATE ESTATE

STATE OF OREGON.

County of KLAMATH

ss.

I, VINCENT BODNER, JR., being first duly sworn, say that I am
the heir, devisee and claiming successor of the above-named decedent.
This affidavit is made pursuant to ORS 114.515.

1. A description of all of decedent's property in the State of
Oregon, including its location and fair market value, is:

<u>Legal Description</u>	<u>Fair Market Value</u>	<u>Location</u>
A. One-third undivided interest in sellers' equity in contract of sale covering the following- described real property situ- ated in Klamath County, Oregon: S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 25, Township 35 S., R. 9 E.W.M.; N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 36, Township 35 S., R. 9 E.W.M.; S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 36, Township 35 S., R. 9 E.W.M.; SE $\frac{1}{4}$, Section 36, Township 35 S., R. 9 E.W.M.; E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 1, Township 36 S., R. 9 E.W.M.; S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 30, Township 35 S., R. 10 E.W.M.; S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 30, Township 35 S., R. 10 E.W.M.; Government Lots 3 and 4 and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 35 S., R. 10 E.W.M., lying westerly of the center thread of Sprague River; Government Lot 1, Government Lot 2 and any portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ that may lie westerly of the center thread of Sprague River; NE $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 35 S., R. 10 E.W.M.	\$10,551.95	Klamath County

(Affidavit - 1)

At
H. F. SMITH
ATTORNEY AT LAW
540 MAIN STREET
KLAMATH FALLS, OREGON 97601
802-2855

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1	B.	Lots 1, 2, 3, 4, 10,		
2		11, 12, 17, 18, 19,		
3		20, 21, 22 and 23,		
4		Block 16, First Addition		
		to Sprague River,		
		Oregon	3,000.00	Klamath County
5	C.	1974 Ford automobile,		
6		Oregon License No.		
			550.00	Klamath County
7	D.	1963 Ford pickup,		
8		Oregon License No.		
		F 19302 5	400.00	Klamath County
9	E.	Farm tractor	500.00	Klamath County
10	F.	United States National		
11		Bank, Checking Account		
		No. 029-0042-944	158.59	Klamath County
12	G.	Western Bank, Checking		
13		Account No. 4801-57706	5.29	Klamath County
14	H.	Western Bank, Savings		
15		Account No. 480-157720	5.69	Klamath County
16				

Total \$15,151.52

2. Reasonable efforts have been made by your affiant to ascertain the creditors of said estate. The debts of said decedent remaining unpaid, including the amounts thereof, the names and addresses of the creditors known to your affiant are:

Sprague River General Store, Third and Main Streets, Sprague River, Oregon 97639, open account \$67.83; Wards Klamath Funeral Home, 1945 Main Street, Klamath Falls, Oregon 97601, funeral expenses \$2,837.50.

3. Said decedent died on December 5, 1987, in Klamath County, Oregon. A certified copy of decedent's death certificate is attached

(Affidavit - 2)

H. F. SMITH
ATTORNEY AT LAW
540 MAIN STREET
KLAMATH FALLS, OREGON 97601
892-2955

1 to the original of this affidavit.

2 4. No application or petition for the appointment of a personal
3 representative has been granted in Oregon.

4 5. Your affiant is the son, the sole heir and devisee of said
5 decedent and his address is 481 Twin View Boulevard, Space 101, Redding,
6 California 96003.

7 6. The original of decedent's Last Will and Testament dated
8 December 7, 1971, is attached to the original of this affidavit.

9 7. Your affiant is entitled to all of the properties of said
10 decedent.

11 8. A copy of this affidavit will be mailed to the Adult and Family
12 Services Division, Estate Administration Section, Salem, Oregon, and to
13 the Department of Revenue, Salem, Oregon.

14 9. A copy of this affidavit will be filed with the County Clerk
15 of each County where decedent's real property is located.

16 Dated this 11th day of January, 1988.

17
18 SUBSCRIBED and sworn to before me this 11th day of January, 1988.

19
20 Wesley F. Smith
21 NOTARY PUBLIC FOR CALIFORNIA
22 OREGON

23 My commission expires Dec 13, 1990

24
25
26 (Affidavit - 3)

LAST WILL AND TESTAMENT OF VINCENT BODNER, SR.

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KNOW ALL MEN BY THESE PRESENTS, That I, VINCENT BODNER, SR., also known as VINCENT BODMAR, SR., of Klamath County, Oregon, being of legal age and of sound and disposing mind and memory and not acting under duress, fraud or undue influence of any person whatsoever, do make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills by me at any time heretofore made.

I

My immediate family consists of my son, VINCENT S. BODNER, JR.

II

I direct that all my just debts, funeral expenses and other charges against my estate be paid as soon after my death as may be done conveniently. I direct my personal representative to treat as an obligation of my estate and to pay, without apportionment thereof, all estate, inheritance or other death taxes or duties imposed and made payable by reason of my death by the laws of the United States or of any state, territory or country. If any other person shall pay any such tax, my personal representative shall reimburse such person.

III

I give and devise all the rest, residue and remainder of my property, real, personal and mixed, of whatsoever kind and nature and wheresoever situated, to my son, VINCENT S. BODNER, JR.

IV

In the event my said son shall predecease me, then I give and devise my said estate to my grandchildren, CHERYL ANN HUPPER, DAVID VINCENT BODNER and MICHAEL BEN BODNER, in equal shares to each.

V

I hereby nominate and appoint my said son, Vincent S. Bodner, Jr., as personal representative of my estate, and I direct that no bond or security be required of him, and I grant to him, to the extent allowed

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by law, full power to deal with my estate as I might do if living, including but not limited to the power to pay claims against my estate, the power to continue any business or business relationship in which I may be engaged, the power to borrow and repay, the power to incur and pay obligations, the power to employ and pay for services and the power to sell, exchange, convey, mortgage and hypothecate in any manner in his discretion any and all of my properties, with or without notice, at private or public sale. I direct that such powers may be exercised without prior order or authority or later confirmation by any court, and I further direct that my personal representative shall have no obligation to report to any person, persons or court as to any or all of his transactions, except to the extent, if any, required by law which requirements I may be without the power to waive. I further authorize my said personal representative to deal with himself individually to the same extent that he may deal with a third person.

IN WITNESS WHEREOF, I have hereinto set my hand and seal this
7 day of ^{December} ~~July~~, 1971.

Vincent Bodner Sr. (SEAL)

The foregoing instrument, consisting of the one preceding page and this page, was, at the date hereof by the said VINCENT BODNER, SR., signed, sealed, published and declared to be his Last Will and Testament in the presence of us, who, at his request and in his presence and in the presence of each other, have signed the same as witnesses hereto.

Debra Bodner Residing at Klamath Falls, Oregon
H. F. Smith Residing at Klamath Falls, Oregon

AFTER RECORDING, RETURN TO:

H. F. SMITH
 Attorney at Law
 540 Main Street
 Klamath Falls, OR 97603

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STATE OF OREGON
County of Klamath)

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
true and correct transcript therefrom, and of the whole of such original as the same ap-
pears on file or of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
the seal of said Court, this 17 day of Feb A.D. 19 88

LYN G. HARDY,

Clerk of Court

By

Evelyn Biehn

STATE OF OREGON: COUNTY OF KLAMATH:

ss.

Filed for record at request of H. F. Smith, Attorney at Law the 17th day
of February A.D., 19 88 at 12:47 o'clock P M., and duly recorded in Vol. M88
of Leeds on Page 2268

FEE \$30.00

Evelyn Biehn, County Clerk

By

Ram Smith