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|     |        | RECEIVED Vol. m89 Page 9795   |  |  |  |  |
|     |        | 1.110 S 1783  |  |  |  |  |
|     | . 1    | Lu IIDICIAL DIST  |  |  |  |  |
|     |        | STA Che Matter of the Small ) NO. 89 0 1447 CV<br>Estate of ETHEL MILLER, )   |  |  |  |  |
|     | 3<br>4 | ) AFFIDAVIT OF<br>Deceased. ) CLAIMING SUCCESSOR<br>)   |  |  |  |  |
|     | 5      | STATE OF OREGON )   |  |  |  |  |
|     | 6      | ) ss.<br>County of Klamath )  |  |  |  |  |
|     | 7      | I, Ely Micky Butler, being first duly sworn, state that to the best of my   |  |  |  |  |
|     | 8      | knowledge the following information is true and correct:  |  |  |  |  |
| ឹភ  | 9      |   |  |  |  |  |
|     | 10     | The following information is given concerning the Decedent:   |  |  |  |  |
| H   | 11     | a. Name: Ethel Miller   |  |  |  |  |
| ~   | 12     | b. Date of Death: March 9, 1989   |  |  |  |  |
| NUL | 13     | c. Place of Death: Klamath Falls, Oregon  |  |  |  |  |
| 83  | 14     | d. Domicile at time of death: Klamath County, Oregon  |  |  |  |  |
|     | 15     | e. Social Security No.: 544-24-0639   |  |  |  |  |
|     | 16     | A certified copy of the death certificate is attached hereto.   |  |  |  |  |
|     | 17     | • 2.  |  |  |  |  |
|     | 18     | All of the property of the Decedent that would otherwise be subject to  |  |  |  |  |
|     | 19     | probate and the fair market value thereof:  |  |  |  |  |
|     | 20     | Lot 5 of Block 208 of Mills   |  |  |  |  |
|     | 21     | Second Addition the City of   |  |  |  |  |
|     | 22     | Klamath Falls, Klamath County,  |  |  |  |  |
|     | 23     | Oregon \$25,000.00  |  |  |  |  |
|     | 24     | 3.  |  |  |  |  |
|     | 25     | An application or Petition for the appointment of a personal representative   |  |  |  |  |
|     | 26     | has not been granted in Oregon.   |  |  |  |  |
|     | 27     |   |  |  |  |  |
|     | 28     | 가 있는 것이 있다. 이 가지 않는 것이 있는 것이 있는 것이 있는 것이 있는 것<br>같은 것이 있는 것이 것이 같은 것이 있는 것이 있는 것이 있는 것이 없는 것이 없는 것이 있는 것이 있는 것이 있는 것이 있는 것이 없는 것이 없는 것이 없는 것이 없는 것이 없는 것이 없는 것이 있 |  |  |  |  |
|     |        |   |  |  |  |  |
|     | : .    | AFFIDAVIT - Page 1  |  |  |  |  |

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4. The Decedent's Last Will and Testament dated September 27, 1974 is attached 1 hereto. The Decedent's husband, Welsey Roe Miller, predeceased the Decedent. 2 (See certificate of Death recorded in Vol. M-78 at page 15714 of the records of 3 4 Klamath County, Oregon) 5 5. Reasonable efforts have been made to ascertain creditors of the estate and 6 7 all claims have been paid as they were received. 8 6. All assets remaining after payment of the expenses of administration are 9 payable to the decedent's surviving children, Peggy Lou Butler and Phyllis 10 11 Louise Daniels, in equal shares. 12 7. The names, addresses and relationship to the decedent of the devisees named 13 14 in her Will, all of whom are of legal age, are: 15 Peggy Lou Butler 1819 Wiard Street 16 Klamath Falls, OR 97603 17 Phyllis Louise Daniels 4205 Perry Street 18 97603 Klamath Falls, OR The above named devisees are also the heirs of the decedent. 19 20 8. A true copy of this Affidavit has been mailed to the Devisees and the heir 21 of the Decedent named above. In addition, true copies of this Affidavit have 22 23 been mailed to: Oregon Department of Revenue 24 State of Oregon, Adult & 97309 Salem, OR Family Services Division 25 Estate Administration Unit P.O. Box 14021 26 97309 Salem, OR 27 28 AFFIDAVIT - Page 2

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9. A true copy of this Affidavit and attachments have been recorded in the Klamath County Clerk's office, Klamath Falls, Oregon. 10. The undersigned Affiant is the alternative Executor named in Decedent's 4 5 Will. 6 Ely Micky Butler 7 8 Subscribed and sworn to before me this  $2^{144}$  day of June, 1989. 9 10 m (SEAL) 11 My commission expires: 11-2-90 Øregon 12 13 14 15 16 17 18 19 After recording return to: Micky Butler 20 1819 Wiard Street 97603 Klamath Falls, OR 21 Peggy Butler Send tax statements to: 22 Phyllis Daniels 1819 Wiard Street Klamath Falls, OR 97603 23 24 William M. Ganong Attorney at Law 25 292 Main Street Klamath Falls, OR 97601 26 882-7228 27 Q. 28 AFFIDAVIT - Page 3

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| Hindline Section 2 - NELLER Penale Penale Arch 9, 139     South 1 - NELLER Penale  |                          |  | State File I                                   |                      | OF DEATH                       |   |                                  | 7                                |                              |                    | <b>[</b>            | 3  |         | n.       |
| 54.4 - 24 - 06.33     [Press]     Boost     B  | 989                      | March 9, 198                                       | Female M                                       |                      | MILLER                         |   | · -                              |                                  | Ethe                         | ε.                 | NAM                 |  |         |          |
|  |                          | July 2, 1903                                       | ey, IN J                                       | h Whitle             | Mins. SC<br>98. PLACE OF       |   |                                  | (Years)                          | 639                          | -24-0              | 544-                | <u>,</u>   |         | į        |
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| A.       R. Rand Hale, MD - 2584 Campus Dr Klamath Falls, Oregon 97601         35. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type of Print)         36. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)) Do not enter mode of dying, e.g. Cardiac or Respiratory Arrest.         37. MAKE OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type of Print)         36. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)) Do not enter mode of dying, e.g. Cardiac or Respiratory Arrest.         37. Did tobsecco use contributing to dealp but not related to pouse given in PART L         37. Did tobsecco use contributing to dealp but not related to pouse given in PART L         38. AUTOPSY         39. MANNER OF DEATH         40. MANNER OF DEATH         40. MANNER OF DEATH         40. MANNER OF DEATH         40. MANNER OF DEATH         41. Product         42. MANNER OF DEATH         43. MANNER OF DEATH         44. MANNER OF DEATH         44. MANNER OF DEATH         45. MANNER OF DEATH         46. MANNER OF DEATH         47. MANNER OF DEATH         48. MANNER OF DEATH         49. MANNER OF DEATH         40. MANNER OF DEATH         40. MANNER OF DEATH         41. LOCATION         42. MANNER OF DEATH         43. MORE OF DEATH         <  |                          |  |  |                      | 전자 소문                          | AL EXAMINER   | CERTIFIERINE                     | 85.                              | 'G / S                       | .31                | -1                  |  |         |          |
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| MARIAN ACKERMAN<br>COUNTY REGISTRAR<br>KLAMATH COUNTY, OREGON  |                          | EGISTRAR   | COUNTY REGIS                                   | m                    |                                | 89  | AR_1_3                           | ь <u>М</u>                       | SSUED                        | DATE               | With Harden         |  | シロルぞく時期 |          |

## LAST WILL AND TESTAMENT

AND DECKNOWLY

9799

KNOW ALL MEN BY THESE PRESENTS that I, ETHEL MILLER, of Klamath Falls, Klamath County, Oregon, of the age of 71 years, being of sound and disposing mind and memory, and not acting under duress, menace, fraud or undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament in manner and form following, to-wit:

FIRST: I direct that all my just debts, funeral expenses and taxes be paid promptly.

<u>SECOND</u>: I hereby state that I am a married woman, that my husband's name is WESLEY ROE MILLER, and that I have two daughters,

> PEGGY LOU BUTLER 1819 Wiard St. Klamath Falls, Oregon

Phyllis Louise Daniels 4258 Bristol St. Klamath Falls, Oregon

THIRD: I give, devise and bequeath unto my be-

loved husband, WESLEY ROE MILLER, all the rest, residue and remainder of my estate, real, personal and mixed, of whatsoever nature and wheresoever situated.

FOURTH: In the event my said husband does not survive me, or in the event we shall both die at the same time or

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<u>Ethil Miller</u>.

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under circumstances causing doubt as to which of us survived the other, I give, devise and bequeath all the rest, residue and remainder of my estate, real, personal or mixed, of which I may die seized, to my said daughters above named, share and share alike; provided, however, if either or both of said daughters does not survive me, the share of said deceased daughter shall go to her heirs.

I hereby nominate, constitute and appoint FIFTH: my son-in-law, ELY MICKY BUTLER, husband of my daughter, PEGGY LOU BUTLER, to be the personal representative of this, my Last Will and Testament, and direct that he shall serve as such without bond; and I hereby give and grant to him as such personal representative full and complete power and authority to sell, mortgage, pledge and otherwise dispose of any property of my estate without petition, citation, hearing, order, notice, return or confirmation, or any other proceeding, order or authority of Court; to borrow any money necessary or convenient to administer my estate, and to pledge the assets of said estate to secure the repayment thereof, to continue or discontinue or wind up any partnership, contract, business or transaction pending at the time of my death when in his opinion it is to the best interest of said estate so to do.

SIXTH: I hereby revoke all former wills by me made, and declare this to be my Last Will and Testament.

E the miller

WILL, Page 2 ETHEL MILLER IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3,7 day of September, 1974.

S086 3

E this Miller (seal)

The foregoing instrument, purporting to be the Last Will and Testament of ETHEL MILLER, consisting of two pages other than this page, was, and each page was, by the said Ethel Miller at the date hereof, signed, sealed, published and declared as her Last Will and Testament in the presence of each of us, who, at his request and in his presence, and in the presence of each other, have subscribed our names as witnesses hereto.

a la secol Dated this 27 - day of September, the Coold Control and the way of Beach Klamath Falls, Oregon and the burn on he with a said the The le field year of the lat ( 194 Gary St. 12 1 1662 Klamath Falls, Oregon 19 3. W. WILL, page 3 ETHEL MILLER 1.142

cb 3.00

1: 1: 25 MHREOH, 1 Maye mercanto set my mand and day of September, 1974.

E that my said (LEDE)

The Property Lestragent, Deporting to be the fast Will and Poster of Mindle Millik, consisting of two pages offer that Plan page, and carb page was, by the said Hine Plant the test strated, signed, stated, published and declared as her list will and Testagent in the presence of the of as the test offer, have subscribed our made as withouse presence as withouses

| STATE OF OREGON )<br>County of Klamath )<br>LYN G. HARDY Clerk of the Circuit Court of the County of Klamath<br>LYN G. HARDY Clerk of the Circuit for the foregoing copy has been  |            |
|--|------------|
| Country of Nulliver  |            |
| County of the Circuit Court of the Circuit   |            |
| County of Klaman ,<br>I, LYN G. HARDY Clerk of the Circuit Court of the County of has been<br>and the State of Oregon do hereby certify that the foregoing copy has been<br>and the State of Oregon do hereby certify that it is a transcript therefrom, and<br>the state of Oregon do hereby certify that it is a transcript therefrom, and<br>the state of Oregon do hereby certify that it is a transcript therefrom, and<br>the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>the certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy has been<br>and the state of Oregon do hereby certify that the foregoing copy hereby hereby the state of Oregon do hereby the state of Oregon do hereby certify the state of Oregon do hereby thereby the state of Oregon do hereby the state of Oregon do her |            |
| and the State of Oregon do hereby certify that the foregoing copy and the State of Oregon do hereby certify that it is a transcript therefrom, and by me compared with the original, and that it is a transcript therefrom in my   |            |
|  |            |
| of the which had only acre and custody.  | V.         |
|  | 10         |
| I I would CALIFE THIS CRAWNER / 7 - / 10 / 10 / 10   |            |
| the seal of said County Rent HARDY, Clerk of County Strain   |            |
| BOREAC STILLET ALS SPELA BY  | 5          |
|  | 2.2        |
|  | O'ATTANT'S |
|  | N.         |

## STATE OF OREGON: COUNTY OF KLAMATH: 55.

|                           | wm. Gano                | no  |                            | ay day      |
|---------------------------|-------------------------|---|----------------------------|-------------|
| Filed for record at reque |                         |   | , and duly recorded in Vol | . <u></u> , |
| of <u>June</u>            | A.D., 19 at             | The second se | <u>9795</u>                | 그는 크리 그 같은  |
|                           | of <u>Deeds</u>         | Errolum Bid   | ehn - County Clerk         |             |
| 방법이 가슴을 물고 있는 것이다.        |                         | Everyli Die   | Auline Mullin              | dire        |
| FEE \$43.00               | 이 방법에 들어 들었다. 그 한 것 같아? | By  | MILLER C. + JUL            |             |