

5580

AFFIDAVIT OF HEIRSHIP AND INDEMNITY

Aspen Title #01034215 M89 Page 23311

STATE OF ARIZONA)

County of YUMA) ss

I, Grace E. Conover, being first duly sworn, depose and say that:

1. The Decedent, Charles Wesley Dearborn, who was also known as C. W. Dearborn, died in Bonanza, Klamath County, State of Oregon, on November 4, 1969, and at the time of death may have had an interest in real property located in Klamath County, Oregon, described as follows:

Lots 1, 2, and that portion of Lots 3 and 4 lying Northerly of the Langell Valley Road; the SE 1/4 NW 1/4, NE 1/4 SW 1/4, and that portion of the SE 1/4 SW 1/4 lying Northerly of the Langell Valley Road, all in Section 31, Township 39 South, Range 12 E.W.M.

ALSO that portion of the NE 1/4 NW 1/4 of Section 6 Township 40 South, Range 13 E.W.M., lying Northeasterly of the Langell Valley Road.

Less and Except portions heretofore conveyed for rights of way to United States, recorded July 5, 1923 in Book 61 at page 281 and in Book 112 at Page 73 and the California Oregon Power Company.

2. At the time of the Decedent's death, I was his surviving spouse and my legal name was Grace E. Dearborn.

3. Decedent left a Will of which a copy is attached hereto and the estate was not probated.

4. The next of kin and heirs at law of decedent, with the relationship to decedent and current address of each, are:

Grace E. Conover, Wife
2779 West 18th St., No. 101
Yuma, AZ 85364

Luther Henry Dearborn, Son
137 High Street
Klamath Falls, OR 97601

Catherine Dearborn Snyder, Daughter
Rt. 1, Box 238
Lowery City, MO 64763

Fred R. Dearborn, Son
2601 Park Center Drive,
Apt. C1011
Alexandria, VA 22302

Harold W. Dearborn, Son
2972 S. 6th Street
Klamath Falls, OR 97603

There are no children of deceased children which survived the decedent. All of the above said persons are of legal age.

5. There is no debt of decedent or claim against decedent which is or will become a claim against the estate of decedent.

6. This affidavit is for the purpose of inducing Aspen Title and Stewart Title to allow next of kin and an heir of decedent to clear the aforementioned real property of the interest of decedent without the necessity of probate of decedent's estate.

7. I hereby agree to indemnify and hold harmless Aspen Title and Stewart Title from any and all liability, obligation, expenses, legal fees or litigation costs which may be incurred as a result of the falsity or inaccuracy of any statement contained in this affidavit.

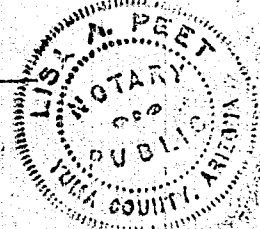
Dated this 29 day of November, 1989.

Grace E. Conover
Grace E. Conover

November 29, 1989.

Personally appeared the above named Grace E. Conover and acknowledged the foregoing instrument to be her voluntary act and deed. BEFORE ME:

Lisa A. Peet
Notary Public for Arizona
My commission expires:



93 DEC 1 PM 2 05

KNOW ALL MEN BY THESE PRESENTS, That I Charles W.

Dearborn a resident of Klamath County, Oregon of legal age and of sound and disposing mind and memory and not acting under Fraud, menace or undue influence but realizing the uncertainty of life and the certainty of death, do make, publish and declare this my last will and testament in words and figures as follows: FIRST. I direct that all my just debts, funeral expenses and expenses of my last illness be paid so soon after my death as possible.

SECOND.

I have four children namely Katherine Dearborn, age 19, Wm Dearborn, age 17, Henry Dearborn age 12 and Fred Dearborn age 9 and I give and bequeath to each of my said children the sum of Five \$5.00 Dollars knowing that in case of my death they will be well provided for by my wife.

THIRD.

I give, devise and bequeath to my wife Grace E. Dearborn all of the rest, residue and remainder of my property, real personal and mixed, of whatsoever kind and wheresoever situated to her own use and behoof forever.

FOURTH.

In case my wife and I should die in or as a result of the same accident or at or about the same and I should survive her or in any event should I survive my wife, then and in that case I give, devise and bequeath all of my property, real, personal and mixed of whatsoever kind and wheresoever situated to my four children above named share and share alike and in case either of my children should precede me in death then I direct that his or her children if any should take the share of their deceased parent.

FIFTH.

I nominate and appoint my wife Grace E. Dearborn to be the executrix of this my last will and testament and direct that she be allowed to act without giving bond or other security

Charles W Dearborn

In case she should be unable to act then I appoint my brother Myron W. Dearborn to act as my executor without bond. I further authorize my said executor to sell all or any part of my property real or personal, either at public or private sale, with or without notice, for cash or upon credit, for such price or prices as to him my seem reasonable, without an order of sale, citation or other statutory procedure and subject only to confirmation by the court.

LASTLY.

I have set my name at the foot of the preceeding page of this my last will and testament and I do hereby revoke all former wills by me ever made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3 day of November, A.D. 1955

Charles W. Dearborn seal

The foregoing instrument consisting of one page besides this one was at the date thereof, signed, sealed, published and declared by the said Charles W. Dearborn 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 subscribed our names as witnesses thereto.

John L. Stewart Jr.
Residing in Klamath Falls, Oregon

Frank J. Howard
Residing in Klamath Falls, Oregon

W. L. Schaub
Residing in Klamath Falls, Oregon

1 CODICIL to the LAST WILL AND TESTAMENT OF CHARLES W. DEARBORN
2 KNOW ALL MEN BY THESE PRESENTS, That, WHEREAS, I, CHARLES W.
3 DEARBORN, of Klamath Count, Oregon, did on the 3rd day of November, 1955,
4 make, execute, publish and declare my Last Will and Testament in writing
5 bearing date the day and year above mentioned, and

6 WHEREAS, Paragraph Fifth of said Last Will and Testament contains
7 the nomination and appointment of my brother, MYRON W. DEARBORN, to act
8 in the place and stead of my wife, GRACE E. DEARBORN, should she be
9 unable to act as executrix as nominated and appointed in said Paragraph
10 Fifth of my said Last Will and Testament,

11 NOW, THEREFORE, I, CHARLES W. DEARBORN, being of a sound and
12 disposing mind, do make, publish and declare the following as a Codicil
13 to my Last Will and Testament in the following manner:

14 FIRST: I hereby revoke the appointment of my brother, MYRON W.
15 DEARBORN, to serve as Executor of my Last Will and Testament in the
16 place and stead of my wife, GRACE E. DEARBORN, should she be unable or
17 decline to act as Executrix of my said Last Will and Testament, and in
18 his place and stead, I nominate, constitute and appoint my sons,
19 WILLIAM DEARBORN and FRED DEARBORN, residents of Klamath County, Oregon,
20 or the survivor of them, as the case may be, as Co-Executors of my
21 Last Will and Testament, to serve as such without bond and without
22 being required to give any bond for any purpose during the administration
23 of my estate, in the event my said wife, GRACE E. DEARBORN, should be
24 unable or decline to act as Executrix thereof. I declare that the
25 appointment of my aforesaid named sons as Co-executors is not from
26 partiality but is made to comply with the requirements of the State
27 of Oregon as to the residency of an executor or executrix.

28 SECOND: Except as changed and modified by this Codicil, I hereby
29 ratify and confirm my said Last Will and Testament made the 3rd day of
30 November, 1955, and it is my will and desire that my aforesaid Last
31 Will and Testament stand and be carried out as written and that this
32 Codicil be construed and treated as a part thereof.

This Codicil to my Last Will and Testament was signed by me on the 30th day of August, 1968, at Klamath Falls, Oregon.

Charles W Dearborn

The foregoing instrument, consisting of one page besides this page, was signed on the above date by the Testator, CHARLES W. DEARBORN, in our presence, we being present at the same time, and he then declared to us that such instrument was his first Codicil to his Last Will and Testament, bearing date of the 3rd day of November, 1955, which he did also reaffirm and republish, as modified by said Codicil; and we, at the request of the Testator and in his presence and in the presence of each other, have signed such instrument as witnesses.

All of the foregoing clause has been read to us.

Alma E. Gierman Residing at Merrill Ave

Ella Stiller Residing at Klamath Falls, Oregon

Alma E. Gierman Residing at Klamath Falls, Oregon

Page 2 - Codicil to Last Will and Testament of Charles W. Dearborn

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow of December A.D. 19 82 at 2:05 o'clock P.M., and duly recorded in Vol. M89 on Page 23311

FEB \$28.00

Evelyn Behn
By Bernetha A. Helcho County Clerk

CWD