

In the Probate Department of the County of KLAMATH Oregon

Small Estate of:

ANNE M. FRUITS  
Deceased.

Estate No. 90009222K  
1990 MAR 23 PM 12:30

AFFIDAVIT OF CLAIMING SUCCESSOR  
INTESTATE ESTATE  
CLERK OF COURT

BY \_\_\_\_\_

STATE OF OREGON, County of KLAMATH ss.

I, GORDON W. FRUITS, being first duly sworn, depose and say that: I am an heir of the above named decedent and a "claiming successor" to the following described portion of said decedent's estate. This affidavit is made pursuant to Oregon Revised Statutes, Sections 114.515 and 114.525.

(1) Name of Decedent ANNE M. FRUITS Age \_\_\_\_\_ Soc. Sec. No. \_\_\_\_\_  
Domicile/Post Office Address Box 451 MERRILL, OREGON 97630

(2) Decedent died MARCH 18, 1990, at PLUM RIDGE CARE CENTER, KLAMATH FALLS, OREGON  
certified copy of decedent's death certificate is attached hereto;

(3) A description of all of decedent's property, including the fair market value of the real property and the fair market value of the personal property, is:

Real Property Legal Description (Including County)

Fair Market Value

LOT 6, 7(5 1/2) + LOT 5 BLOCK 2.5 MERRILL, OR KLAMATH CO. 30,730  
LAND & BUILDING

Personal Property Description

Fair Market Value

None

(4) No application or petition for the appointment of a personal representative has been granted in Oregon;

(5) The decedent died intestate;

(6) Decedent's heirs and the last address of each as known to affiant are:

Name

Last Known Address

GORDON W. FRUITS 834 S. 4TH LAKEVIEW, OREGON 97630

ROBERTA HITT 2169 BENYON ST. SANTA CLARA, CALIFORNIA 95050

A copy of the affidavit showing the date of filing will be delivered to each heir or mailed to each heir at the last known address stated above.

(7) The interest in decedent's said property to which each heir is entitled is:

Name

Interest

GORDON W. FRUITS

ONE HALF

ROBERTA HITT

ONE HALF

STATE OF OREGON )

County of Klamath )

I, LYN G. HAROY, Clerk of the Circuit Court of the County of Klamath in the State of Oregon, do hereby certify that the foregoing copy has been compared with the original, and that it is a true and correct copy, and that the same is true and correct, and that the same is true and correct.



Witness my hand and seal, this 23 day of March A.D. 1990

LYN G. HAROY, Clerk of Court

By [Signature]

(8) Reasonable efforts have been made to ascertain creditors of the estate. Any debts of the decedent remaining unpaid or on account, and the names and addresses of the creditors as known to the affiant are:

Name of Creditor	Address	Debt	Known or Estimated Amount
ACORN KNOWN			

A copy of the affidavit showing the date of filing will be delivered to each creditor who has not been paid in full or mailed to the creditor at the last known address.

(9) The name and address of each person known to the affiant to assert a claim against the estate which the affiant disputes and the last known or estimated amount thereof:

Name	Address	Amount

A copy of the affidavit showing the date of filing will be delivered to each of the above or mailed to the person at the last known address.

(10) A copy hereof showing the date of filing will be mailed or delivered to the Adult and Family Services Division, Estate Administration Section and to the Department of Revenue, Salem, Oregon.

(11) Claims against the estate not listed herein or in amounts larger than those listed herein may be barred unless:

- (a) A claim is presented to the affiant within four months of the filing of this affidavit at the address stated in this affidavit for presentment of claims; or
- (b) A personal representative of the estate is appointed within the time allowed under ORS 114.555;

(12) If there is listed one or more claims which the affiant disputes [See (9)], such claims may be barred unless:

- (a) A petition for summary determination is filed within four months of the filing of this affidavit; or
- (b) A personal representative of the estate is appointed within the time allowed under ORS 114.555;

(13) A copy of this affidavit showing the date of filing or an abstract meeting the requirements of ORS 113.165(2), will be mailed or delivered with the required recording fee to the county clerk in each county where said decedent's real property, if any, is located.

*Gordon W. Fruits*

Subscribed and sworn to before me on March 21, 1990, at Feb. 10, 1993  
Notary Public for Oregon. My commission expires

*Munich. Guid*

EXCERPT FROM ORS 114.515: "If the estate consists of personal property having a fair market value of \$25,000 or less, or real property having a fair market value of \$60,000 or less, or a combination of personal property having a fair market value of \$25,000 or less, and real property having a fair market value of \$60,000 or less, not less than 30 days after the death of the decedent, one or more of the claiming successors may file an affidavit with the clerk of the probate court in any county where there is value for a proceeding seeking the appointment of a personal representative for the estate. The affidavit shall contain the information required by ORS 114.525."

Page 2—AFFIDAVIT OF CLAIMING SUCCESSOR—INTESTATE ESTATE.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Gordon W. Fruits the 23rd day of March A.D., 1990 at 2:06 o'clock P. M., and duly recorded in Vol. M90 of Deeds on Page 5407.

FEE \$13.00

Evelyn Biehn County Clerk  
By Dorinda Mullendare