

23049

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

In the Matter of the Estate of:)
FRIEDMAN HORACE KIRK,) Case No. 85-43 PR
Deceased.) AFFIDAVIT OF HEIRSHIP

STATE OF OREGON)
County of Klamath) ss.

I, VINA SMITH KIRK, having been duly sworn, depose and say as follows:

That I am the widow of Friedman Kirk whose estate was probated in Klamath County Circuit Court case No. 85-43 PR. A copy of the order approving final account and decree of final distribution are attached as exhibit A and thereby incorporated herein.

Friedman Kirk was the son of Seldon E. Kirk and Mary Hill Kirk. Seldon and Mary Kirk had three children; Raymond, Lelia and my husband Friedman.

Raymond Kirk was the owner of allotment #1527 comprising a total of 20 acres received from the United States Department of Interior, Bureau of Indian Affairs more particularly described as:

SW1/4NE1/4SE1/4, W1/2SE1/4NE1/4SE1/4, W1/2NW1/4NE1/4
SE1/4 Section 12. Township 34 South, Range 71/2 East,
W.M. Oregon

Raymond Kirk died on June 1, 1926 intestate and no probate has been had. Further, he died single and no children or children of deceased children survived him. Mary Hill Kirk died in December 1952.

A land status report received on December 10, 1958, in volume
AFFIDAVIT OF HEIRSHIP -1-

307, page 373, deed records of Klamath County, Oregon, shows the owners of the above described property as follows: Seldon E. Kirk undivided 1/2 interest, Lelia Kirk undivided 1/4 interest and Friedman Kirk undivided 1/4 interest.

Seldon Kirk died June 21, 1971. A certificate of death was filed on January 4th, 1973 at Volume M73, page 900, deed records of Klamath County, Oregon. Seldon Kirk died intestate and his only remaining heirs were his son Friedman Kirk and his daughter Lelia Kirk.

Lelia Kirk died intestate on April 3, 1987 and a probate was completed in Deschutes County, State of Oregon, Circuit Court Case #87-PB-0045-JT. Her only heir in that probate is her son Raymond Kirk. The above mentioned property did not go through Lelia Kirk's Deschutes County probate as Raymond Kirk was not aware of his mother's interest in this property.

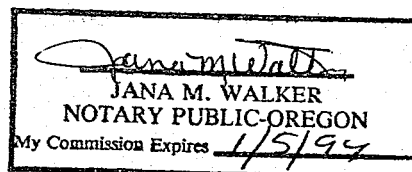
Therefore the remaining heirs of the undivided 1/2 interest of Seldon Kirk are myself, as the surviving heir of Friedman Kirk and Raymone Kirk as the sole surviving heir of Lelia Kirk, and each is entitled to 1/2 of Seldon Kirk's 1/2 undivided interest or undivided 1/4 interest in the above described property.

Vina S. Kirk
VINA SMITH KIRK

SUBSCRIBED AND SWORN before me this 31st day of October, 1990.

Jana M. Walker
Notary Public for Oregon
My commission expires: 1/5/94

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AFFIDAVIT OF HEIRSHIP -2-

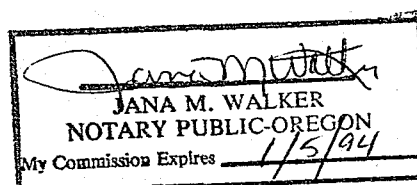


1 STATE OF OREGON)
2) ss.
3 County of Klamath)

4 Personally appeared the above-named VINA SMITH KIRK and
5 acknowledged the foregoing instrument to be her voluntary act.

6 Before me:

7 Jana M. Walker
8 Notary Public for Oregon
9 My commission expires: 1/5/94



AFFIDAVIT OF HEIRSHIP -3-

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

In the Matter of the Estate of:)

FRIEDMAN HORACE KIRK,

Deceased.

No. 85-43 PR

ORDER APPROVING FINAL ACCOUNT
AND DECREE OF FINAL DISTRIBUTION

The personal representative filed his final account on August 27th, 1990, and the time for filing objections having passed with no objections filed, the Court finds that:

1. All Oregon income, inheritance and personal property taxes have been paid and appropriate receipts, releases and clearances therefore have been filed herein.

2. The remainder of the estate assets is vested in the following devisee under decedent's will:

VINA SMITH KIRK, wife

Real property listed in
Amended Inventory (copy in file)

3. Proof of mailing the notice of time for filing objections to the final account and petition for decree of final distribution has been filed herein.

4. The final account should be approved.

IT IS ORDERED AND DECREED:

1. The final account is approved;

2. The personal representative is directed to make distribution of the remaining estate property to the person set forth in

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ORDER APPROVING FINAL ACCOUNT -1-

1 paragraph 2, and said property is hereby vested in said person.
 2 DATED this 17 day of September, 1990.
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Wayne H. Blair
 CIRCUIT COURT JUDGE

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Patrick L. Kittredge the 28th day
 of Nov. A.D., 19 90 at 2:14 o'clock P.M., and duly recorded in Vol. M90
 of Deeds on Page 23610

FEE \$28.00

Evelyn Biehn County Clerk

By Pauline Mulendore

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ORDER APPROVING FINAL ACCOUNT -2-