

23221

AFFIDAVIT FOR COLLECTION OF PERSONAL AND REAL PROPERTY  
UNDER ORS 114.505-555

STATE OF CALIFORNIA )

COUNTY OF ~~SAN GABRIEL~~ <sup>LOS ANGELES</sup> ) ss.

JEAN MARIE ELLIS, being duly sworn, on oath deposes and says:

1. JAMES V. FAY died on October 3, 1985, in the County of Pima, State of Arizona, more than thirty (30) days prior to the execution of this Affidavit.

2. The value of decedent's entire estate, wherever located, does not exceed personal property having a fair market value of TEN THOUSAND DOLLARS (\$10,000.00) or real property having a fair market value of TWENTY THOUSAND DOLLARS (\$20,000.00).

3. That Affiant is one of the claiming successors under the Last Will and Testament of the decedent.

4. The real property of the decedent located in Klamath County, Oregon, is described as follows:

Lot 17 in Block 3 of WOODLAND PARK, together with an undivided 1/88th interest in the following described land, 2 parcels situated in Lots 1 and 2, Section 15, Township 34 South, Range 7 East of the Willamette Meridian, and being more particularly described as follows:

PARCEL 1:

Beginning at the northwest corner of said Section 15, Township 34 South, Range 7 East of the Willamette Meridian, and running; thence along the North line of said Section North 89° 42' 15" East 400 feet; thence South 62.42 feet; thence South 46° 57' 20" West 408.82 feet to the Northeasterly bank of the Williamson River; thence following said river bank North 37° 53' 20" West 136.90 feet; thence North 16° 33' West 60.98 feet to the West line of Section 15; thence Northerly on said Section line 172.92 feet to the point of beginning.

PARCEL 2:

Beginning at the Northwest corner of Section 15, Township 34 South, Range 7 East of the Willamette Meridian and running

thence North 89° 42' 15" East 400.0 feet along the North line of said Section 15; thence South 62.42 feet; thence South 50° 43' 50" East 453.16 feet; thence South 76° 17' 30" East 886.79 feet to the true point of beginning of this description; thence South 35° 56' 30" West 446.55 feet to a point on the Northeasterly bank of Williamson River; thence South 45° 32' 20" East 84.00 feet; thence North 44° 52' 10" West 411.58 feet; thence North 34° 25' 40" West 156.01 feet, more or less, to the true point of beginning of this description.

5. Funeral expenses, expenses of last illness, and all debts known by the claiming successors have been paid.
  6. No Federal, Arizona or Oregon Estate Tax is due on decedent's estate.
  7. A certified copy of the Death Certificate has been attached to this Affidavit.
  8. No application or petition for appointment of a Personal Representative is pending or has been granted in Arizona, Oregon or any jurisdiction.
  9. The heirs of decedent entitled to receive the real property in located in the State of Oregon are:
 

REBECCA ELLIS	9183 E. Arcadia Ave. San Gabriel, CA. 91775
DEBORAH ELLIS	9183 E. .Arcadia Ave. San Gabriel, CA. 91775
REBECCA FAY DEBELLIS	18900 Cajon Blvd. San Bernadino, CA. 92407
JAMES FAY (whose correct legal name is PATRICK JAMES FAY)	32 S. Azurite Tucson, AZ. 85745
- Each of these heirs has been sent a copy of the Affidavit and a copy of the Will.
10. The decedent died testate and a copy of his will is attached to this Affidavit.

11. A copy of this Affidavit and its attachments including a copy of the Will have been delivered or mailed to each devisee at his or her last known address. A list of the devisees and their addresses are:

MARIE KARTHAUS

71 Troy Avenue  
Long Beach, N.Y. 11561

REBECCA ELLIS

9183 E. Arcadia Ave.  
San Gabriel, CA. 91775

DEBORAH ELLIS

9183 E. Arcadia Ave.  
San Gabriel, CA. 91775

JEAN MARIE ELLIS

9183 E. Arcadia Ave.  
San Gabriel, CA. 91775

REBECCA FAY DeBELLIS

18900 Cajon Blvd.  
San Bernadino, CA. 92407

ROBIN FAY DeBELLIS

18900 Cajon Blvd.  
San Bernadino, CA. 92406

12. The above described real property located in Klamath County, Oregon, is divided into five (5) equal shares, pursuant to the will of JAMES V. FAY, and one share is given to each of his grandchildren, REBECCA ELLIS, DEBORAH ELLIS, REBECCA FAY DeBELLIS, ROBIN FAY DeBELLIS, and JAMES FAY, whose addresses are found above.

13. A copy of this Affidavit has been mailed to the Adult and Family Services Division, Estate Administration Section, Salem, Oregon, and to the Department of Revenue, Salem, Oregon.

14. A copy of this Affidavit and a copy of the Will has been filed with the County Clerk in each county where the decedent's real

23900

property is located.

DATED this 19th day of November, 1990.

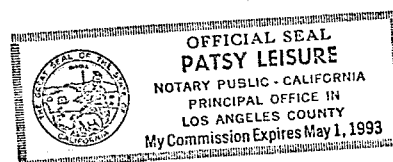
Jean Marie Ellis  
JEAN MARIE ELLIS, Affiant

SUBSCRIBED AND SWORN TO before me this 19th day of November,  
1990, by JEAN MARIE ELLIS.

Patsy Leisure  
Notary Public

My Commission Expires:

5/1/93



Return: Walter W. Hochuli  
345 E. Toole Ave. #100  
Tucson, Az. 85701

## LAST WILL AND TESTAMENT

OF

JAMES VINCENT FAY

I, JAMES VINCENT FAY, of the City of Tucson, County of Pima, State of Arizona, do make, publish and declare the following as and to be my Last Will and Testament:

FIRST: I direct my Personal Representative, hereinafter named, to pay my just debts, including the expenses of my last illness, my funeral, and of the administration of my estate as soon after my decease as shall be convenient and practicable.

SECOND: I direct my Personal Representative to keep my funeral simple and that my body be cremated and the remains deposited as the Personal Representative sees fit.

THIRD: I hereby give, devise and bequeath all of the proceeds and earnings in that certain life insurance policy wherein I am the insured and wherein the Federal Employees Insurance Company is the insurer as follows:

1. I direct my sister MARIE KARTHAUS, of Long Beach, New York, cause to be paid and pay from said insurance proceeds all of my funeral expenses, and after deducting the sums aforesaid from said insurance proceeds, the remainder I hereby give, devise and bequeath as follows:

- a) Three-fourths I give to my sister, MARIE KARTHAUS, and
- b) One-eighth to REBECCA ELLIS, and
- c) One-eighth to DEBORAH ELLIS.

12/12  
James Fay



FOURTH: I hereby direct that all the property that I own in Oregon be divided into five (5) equal shares and I hereby give, devise and bequeath one (1) share each to my grandchildren, REBECCA ELLIS, DEBORAH ELLIS, REBECCA FAY DeBELLIS, ROBIN FAY DeBELLIS, and JAMES FAY.

FIFTH: I hereby give, devise and bequeath all my musical equipment such as records, tapes, recorders or radios, to my sister, MARIE KARTHAUS, to be disposed of by her as she sees fit.

SIXTH: I give, devise and bequeath to my daughter, JEAN MARIE ELLIS, and my friend, CARL J. KENNEDY, in equal shares my home located at 4766 East Hawthorne, Tucson, Arizona 85711. In the event that CARL J. KENNEDY does not survive me, I give, devise and bequeath the share that he would have taken to my sister, MARIE KARTHAUS, or if she predecease me, to her children.

SEVENTH: All of the rest, residue and remainder of my estate, real, personal and mixed, wheresoever situate and howsoever held, of which I may die seized or possessed, or to which I may be entitled at the time of decease, I give, devise and bequeath to my daughter, JEAN MARIE ELLIS, if she survives me.

In the event that my daughter, JEAN MARIE ELLIS, does not survive me, I give, devise and bequeath the same and equal shares to her children then living and to the living issue, upon the principle of representative, of each child of hers who may then be deceased leaving issue surviving.

James V. Fay

J.R.

UP

EIGHTH: I nominate, constitute and appoint my good friend, CARL J. KENNEDY, as the Personal Representative of this my Last Will and Testament, and I direct that he may serve as such without bond or other security. In the event that CARL J. KENNEDY is unable to unwilling for any reason to qualify or serve, I then nominate, constitute and appoint my daughter, JEAN MARIE ELLIS, as the Personal Representative of this my Last Will and Testament, and I direct that she may serve as such without bond or other security.

NINTH: I hereby revoke all Wills and Codicils heretofore by me made.

IN WITNESS WHEREOF I have hereunto set my hand this 15<sup>th</sup> day of July, 1985.

James V. Fay  
JAMES VINCENT FAY

The foregoing instrument, consisting of three (3) typewritten pages, including the page hereof, was on the day of the date thereof, signed, published and declared by JAMES VINCENT FAY, as and to be his Last Will and Testament, in the presence of us, the undersigned, who, at his request, and in his sight and presence, and in the sight and presence of each other, have hereunto subscribed our names as witnesses.

Andriette, residing at 2201 E Prince  
Tucson, Arizona

Loretta Riley, residing at 711 E Prince Rd.  
Tucson, Arizona

STATE OF ARIZONA )  
COUNTY OF PIMA ) ss.

23904

We, JAMES VINCENT FAY, JUNE RILEY, and  
LORENA RILEY, the Testator and the Witnesses,  
respectively, whose names are signed to the attached or foregoing  
instrument, being first duly sworn, do hereby declare to the  
undersigned authority that the Testator signed and executed the  
instrument as his last Will and that he had signed willingly or  
directed another to sign for her, and that he executed it as his  
free and voluntary act for the purposes therein expressed, and  
that each of the witnesses, in the presence of the Testator, signed  
the Will as witness and that to the best of his knowledge, the  
Testator was at that time eighteen (18) or more years of age, of  
sound mind and under no constraint or undue influence.

James V. Fay  
JAMES VINCENT RAY

Jude Riley  
Witness

Lorena Riley  
Witness

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by JAMES  
VINCENT FAY, the Testator, and subscribed and sworn to before  
me by JUDE RILEY and LORENA RILEY  
Witnesses, this 1st day of July, 1985.

[Signature]  
Notary Public

My Commission Expires:  
August 19, 1987



# STATE OF ARIZONA

23905

ORIGINAL  
STATE COPY

## STATE OF ARIZONA DEPARTMENT OF HEALTH SERVICES - VITAL RECORDS SECTION CERTIFICATE OF DEATH

DEATH NO.  
D 102-

NAME OF DECEASED 1. <b>JAMES VINCENT FAY</b>			SEX 2. <b>MALE</b>	DATE OF DEATH 3. <b>October 3, 1985</b>		
RACE (e.g., white, black, American Indian, etc.) 4A. <b>White</b>			WAS DECEASED EVER IN U.S. ARMED FORCES? (SPECIFY YES OR NO) 5. <b>Yes</b>			
PLACE OF DEATH 5. <b>Pima</b>			C. HOSPITAL OR INSTITUTION <b>Tucson Medical Center</b>			
DATE OF BIRTH 7. <b>June 26, 1917</b>			MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY) 9. <b>Married</b>			
STATE OF BIRTH 11. <b>New York</b>			USUAL OCCUPATION (Give kind of work done most of working life, even if retired) 14A. <b>Letter Carrier</b>			
CITY OF BIRTH 12. <b>U.S.A.</b>			SOCIAL SECURITY NO. 13. <b>131-05-3361</b>			
USUAL RESIDENCE 15. <b>Arizona</b>			D. ZIP CODE <b>85711</b>			
STREET ADDRESS OR P.O. BOX 16. <b>4766 E. Hawthorne</b>			PREVIOUS STATE OF RESIDENCE 17. <b>New York</b>			
FATHER'S NAME 18. <b>James J. Fay</b>			MOTHER'S MAIDEN NAME 19. <b>Mary Sullivan</b>			
INFORMANT'S SIGNATURE 20. <b>Jean M. Ellis</b>			ADDRESS 22. <b>Chilao Ranger Station, La Canada, CA 91011</b>			
RELATIONSHIP TO DECEASED 21. <b>Daughter</b>			CITY AND STATE			
DATE 24. <b>10-5-85</b>			CITY AND STATE <b>Tucson, AZ</b>			
CITY AND STATE <b>Evergreen Crematory, Tucson, AZ</b>			CITY AND STATE <b>Evergreen Mortuary, 3015 N. Oracle Rd., Tucson, AZ</b>			
SIGNATURE 31. <b>[Signature]</b>			SIGNATURE 35. <b>[Signature]</b>			
DATE SIGNED (Mo., Day, Year) 32. <b>5/4/85</b>			DATE SIGNED (Mo., Day, Year) 36. <b>[Signature]</b>			
HOUR OF DEATH 33. <b>1650</b>			HOUR OF DEATH 37. <b>[Signature]</b>			
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or print) 34. <b>[Signature]</b>			PRONOUNCED DEAD (Mo., Day, Year) 38. <b>[Signature]</b>			
NAME AND ADDRESS OF CERTIFIER, PHYSICIAN, MEDICAL EXAMINER OR TRIBAL LAW ENFORCEMENT AUTHORITY (Type or print) 40. <b>Steven J. Ketchel, M.D. 1604 N. Country Club, Tucson, AZ 85718</b>			DATE RCVD. IN STATE OFFICE 45. <b>1yr</b>			
DATE REGISTERED 41. <b>Oct. 8, 1985</b>			REG. DISTRICT 44. <b>1016</b>			
REG. FILE NO. 42. <b>4108</b>			DEPUTY 43. <b>[Signature]</b>			
A. IMMEDIATE CAUSE <b>COP PULMONALE</b>			APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH <b>10yrs</b>			
B. DUE TO, OR AS A CONSEQUENCE OF: <b>COPD Chronic Obstructive Pulmonary Disease</b>						
C. DUE TO, OR AS A CONSEQUENCE OF:						
PART II. OTHER SIGNIFICANT CONDITIONS AND/OR ENVIRONMENTAL FACTORS (If adult female was the pregnant within past 90 days?) 47. <b>No</b>			WAS CASE REFERRED TO MEDICAL EXAMINER 49. <b>Yes - Cremation</b>			
MANNER OF DEATH 50. <b>SUICIDE</b>			INJURY AT WORK? (Specify yes or no) 54. <b>No</b>			
DATE OF INJURY 51. <b>MO DAY YR</b>			WHERE LOCATED? 58. <b>STREET ADDRESS CITY OR TOWN STATE</b>			
PLACE OF INJURY (At home, farm, street, factory, office building, etc.) SPECIFY 55. <b>[Signature]</b>						

CERTIFIED COPY OF VITAL RECORD

October 9, 1985

COUNTY OF PIMA

This is a true and exact reproduction of the document officially registered and to be placed on file in the VITAL RECORDS SECTION, DEPARTMENT OF HEALTH SERVICES, PHOENIX, AZ. Issued under the authority of ARS 26-341, and by direction of

*Patricia A. Nolan, M.D.*  
PATRICIA A. NOLAN, M.D.  
County Registrar and Deputy  
Pima County Health Department

*Michael G. Geron*  
MICHAEL GERON  
County Deputy Registrar

This copy not valid unless prepared on safety paper displaying county seal in color and impressed with raised seal of issuing agency.

WARNING: IT IS ILLEGAL TO DUPLICATE THIS COPY

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Walter W. Hochuli the 3rd day of Dec. A.D., 19 90 at 12:05 o'clock P.M., and duly recorded in Vol. M90 of Deeds on Page 23897.

Evelyn Biehn  
By Pauline Mueller County Clerk

FEE \$48.00