

Aspen Title #01035956

AFFIDAVIT OF SUSAN G. MILLMANN

I, Susan G. Millmann, declare as follows:

I am an attorney licensed to practice law in the State of California and if called upon and sworn I could testify to the following facts:

1. In 1983 I represented Mary Gago in connection with the estate of her son George Rivera. He died intestate on October 22, 1979 a resident of California in Los Angeles, California.

2. George Rivera owned 3 pieces of property in Klamath Falls, Oregon described as follows: Lots 1, 2 and 3, block 77 Klamath Falls Forest Estates, Highway #66, Unit plat No. 4.

3. Since the entire value of the estate of Mr. Rivera was under \$30,000.00, no probate was filed in the California.

4. Under the laws of Oregon, in order to clear title of real property, the heirs must file an Affidavit of Claiming Successor Intestate Estate pursuant to ORS 114.515. A copy of the affidavit filed by sole heir Mary Gago at the Klamath County Courthouse, case no. 83-015S-E is attached hereto as Exhibit 1.


5. Assuming no personal representative is appointed with four months after the filing of the affidavit, the interest of the decedent George Rivera in all of the property described in the affidavit is transferred to the person shown by the affidavit to be entitled to it. ORS 114.555. On September 23, 1983, I filed a closing letter as required by the statute and the property automatically passed to Mary Gago, sole heir of George Rivera. A copy of the closing letter is attached hereto and incorporated hereat as Exhibit 2.

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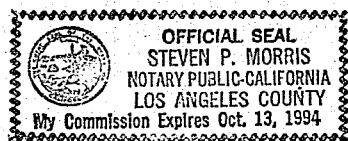
1 6. I followed all procedures according to law. In
2 1983, I spoke to clerks at the courthouse who informed me that
3 all procedures had been completed. Pursuant to this procedure,
4 the tax bills were sent to Mary Gago who has paid the taxes to
5 date.


6 7. At this time, Mary Gago desires to transfer the
7 real property described hereinabove. I am informed and believe
8 that the Klamath County Court has completely lost the file in
9 this matter after all the correct procedures were followed and
10 the property transferred to Mary Gago, sole heir of George
11 Rivera.

12 I declare under penalty of perjury that the foregoing
13 is true and correct and that this was executed at Los Angeles,
14 California on January 21, 1991.

15
16
17 
18 Susan G. Millmann, Esq.

19 Subscribed and sworn to before me on 21st day of January, 1991




Notary Public for California
My Commission expires on 10-13-94

FILED

1839

In the Probate Department of the County of

KLAMATH, NEWMAN H. MEYER, Jr., Clerk of Court

Small Estate of:

GEORGE RIVERA

Estate No. 83-015 S-E

Decedent.

AFFIDAVIT OF CLAIMING SUCCESSOR
INTESTATE ESTATE

CALIFORNIA, COUNTY OF LOS ANGELES

I, MARY GAGO

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) 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)

Lot 3 block 77, Klamath Falls Forest Estates Highway #66
Unit Plat No. 4 Lot 1, Lot 2, Lot 3

Fair Market Value

#3: \$1,500.00

#2: 2,900.00

#1: 4,995.00

Personal Property Description

Misc. personal property

Fair Market Value

\$1,000.00

(2) Reasonable efforts have been made to ascertain creditors of the estate. Any debts of the decedent remain unpaid, and the names and addresses of the creditors as known to the affiant are:

All debts paid

Address

Debt

Amount

(3) Decedent died 11/11

If space insufficient, continue on reverse

14 79

(4) An application or petition for the appointment of a personal representative has not been granted in Oregon.

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

Mary Gago

Mother

Last Known Address

228 Ruth Street, Venice, CA

A copy of this affidavit has been delivered to each heir or mailed to the heir at his, her or its last known address stated above:

(6) The decedent died intestate;

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

Mary Gago

Interest

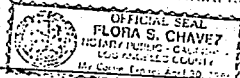
Entire property - 100%

(8) A copy hereof has been mailed to the Adult and Family Services Division, Estate Administration Section and to the Department of Revenue, Salem, Oregon.

(9) A copy of this affidavit has been filed with the county clerk in each county where said decedent's real property, if any, is located.

Subscribed and sworn to before me on

14th day of March, 1983



Notary Public for Oregon My commission expires 4-30-84

EXCERPT FROM ORS 114.515: "If the estate consists of personal property having a fair market value of \$10,000 or less, or real property having a fair market value of \$20,000 or less, or a combination of personal property having a fair market value of \$10,000 or less, and real property having a fair market value of \$20,000 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 county clerk in the county where the decedent died or was domiciled or resided at the time of his death or in the county where the property of the decedent was located at the time of his death or is located at the time the affidavit is filed, to be made a part of the probate records. The affidavit shall contain the information required by ORS 114.525."

EXHIBIT 1

SUSAN G. MILLMANN

Attorney at Law

12027 VENICE BOULEVARD, SUITE B
LOS ANGELES, CALIFORNIA 90066
TEL. 213 398.4911

September 23, 1983

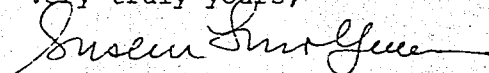
Louise Mitchell
Probate Department
Klamath County Courthouse
316 Main Street
Klamath Falls, Oregon 97601RE: Affidavit of Claiming Successor Intestate Estate
Decedent: George Rivera
Residency: California
Date of Death: 11/11/79
Affidavit No.: 83-015S-E

Dear Ms. Mitchell:

On April 25, 1983, an affidavit, as referenced above, was filed by Affiant Mary Gago. Since said filing, four months have elapsed. All debts of decedent have been paid, and no claims of any kind or nature whatsoever are pending.

Affiant, through her attorney, hereby requests that this matter be closed, and that title be confirmed in Mary Gago, Affiant.

Very truly yours,



Susan G. Millmann

cc: Mary Gago
Klamath County Tax Assessor, ATTN: MargaretSTATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

Aspen Title Co.
on this 30th day of Jan. A.D., 19 91
at 10:52 o'clock A M. and duly recorded
in Vol. M91 of Deeds Page 1837
By Evelyn Biehn County Clerk
By Dorinda Muehlenberg Deputy.

Fee, \$23.00

EXHIBIT 2

Return: ATC