

ONBE

41154

Vol. mag Page 3333

FILED

In the Probate Department of the County of

Klamath STATE OF OREGON

CLAMATH CO. CIR. CL. COURT

Estate No. 9124065 CV
1991 DEC -6 PM 4:55

AFFIDAVIT OF CLAIMING SUCCESSOR
TESTATE ESTATE COURT

By *[Signature]*

Small Estate of:

WILLIAM L. BROOKS aka WILLIAM LEO BROOKS
Deceased.

STATE OF OREGON, County of) ss.

I, Terence L. Brooks, 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 William Leo Brooks Age 79 Soc. Sec. No. 532-18-5254
Domicile/Post Office Address 5645 Leland, Klamath Falls, Klamath County, Oregon 97603

(2) Decedent died October 20, 1991, at Klamath Falls, Oregon;
a 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 4, Block 1, Re-Subdivision of Tracts 2B and 3, Homedale, Klamath County, Oregon, more specifically described on Exhibit A attached:	25,000.00
Lot G, Block 225, Tres Piedras Estates, Unit 7, Toas County, New Mexico, described on Exhibit B attached:	400.00
1968 Marlette Mobile Home, Lic. # X 69423 4; VIN H12260FLT80105:	4,600.00
1983 Datsun Station Wagon, Ore. Lic. #DRL514; VIN JN1H005S4DX032970:	3,500.00
1975 Rollaway Utility Trailer, Ore. Lic. #U069868, VIN 1456:	500.00
First Interstate Bank, So. 6th Street Branch, Checking Account No. 365 003134 8:	2,076.47

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

(5) The decedent died testate; decedent's will is attached to this affidavit;

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

Name	Relationship	Last Known Address
TERENCE LEO BROOKS	Son	P. O. Box 354 Dufur OR 97021
MERI ANN WORLEY	Daughter	1335 McHugh Road Baker, Louisiana 70714

A copy of this affidavit showing the date of filing and a copy of decedent's will will be delivered to each heir at the heir's last known address stated above;

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

Name	Last Known Address
TERENCE LEO BROOKS	P. O. Box 354 Dufur OR 97021
MERI ANN WORLEY	1335 McHugh Road Baker, Louisiana 70714

*Personal Property - Continued:

	Fair Market Value
Roanan Corporation, Stock Certificate No. R1082	1,194.00
119,400 shares; \$.01 par value	

A copy of the will and a copy of the affidavit showing the date of filing will be delivered to each devisee or mailed to the devisee at the devisee's last known address;

92 FEB 10 AM 10 25

(8) The interest in decedent's property described in this affidavit to which each heir or devisee is entitled is:

TERENCE LEO BROOKS
MERI ANN WORLEY

Interest
One-half
One-half

(9) 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 address of the creditors as known to the affiant are:

Name of Creditor	Address	Debt	Known or Estimated Amount
MERLE WEST MEDICAL CENTER	2865 Daggett Ave. Klamath Falls OR 97601	Hospitalization	Unknown
DR BARBARA GILBERTSON, DO	4509 S. 6th Street Klamath Falls OR 97603	Medical	Unknown
SEARS ROEBUCK & CO.	P. O. Box 23879 Portland OR 97223	Work Bench	\$383.57

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.

(10) 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	Known or Estimated 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.

(11) 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.

(12) 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;

(13) If there is listed one or more claims which the affiant disputes [See (10)], such claim(s) 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;

(14) 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.

Terence L. Brooks

State of Oregon
County of Wasco
Subscribed and sworn to before me on

November 15, 1991.

Notary Public for Oregon. My commission expires 6-26-93

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 venue for a proceeding seeking the appointment of a personal representative for the estate. The affidavit shall contain the information required by ORS 114.525 ***."

1886

3335

STATE OF OREGON)

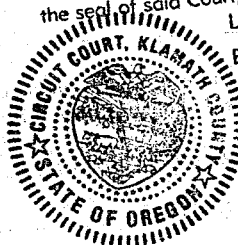
County of Klamath)

I, LYN G. HARDY Clerk of the Circuit Court of the County of Klamath and the State of Oregon do hereby certify that the foregoing copy has been by me compared with the original, and that it is a transcript therefrom, and of the whole of such original as the same appears on file or of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 13 day of February A.D. 1992

LYN G. HARDY, Clerk of Court

By



By

[Signature]

EXHIBIT AAFFIDAVIT OF CLAIMING SUCCESSOR
TESTATE ESTATE

SMALL ESTATE OF WILLIAM L. BROOKS aka
WILLIAM LEO BROOKS
Circuit Court of the State of Oregon
County of Klamath
Case No. 910 4065 CV

REAL PROPERTY DESCRIPTION

Lot 4, Block 1, Re-subdivision of Tracts 2B and 3, Homedale, Klamath County, Oregon, according to the duly recorded plat thereof, and a strip of land 62 feet in width extending in a Northwesterly direction over and across said Lot 4, less a strip of land 10 feet in width together with the right of ingress and egress in, on, over, upon and across the following: Beginning at the Northeast corner of Lot 4, Block 1, Re-subdivision of Tracts 2B and 3, Homedale, Klamath County, Oregon, running thence to the Northwest corner of said Lot 4, parallel to the Northerly boundary of said Lot 4.

Subject to Contracts and Agreements with the United States of America, the Enterprise Irrigation District relative to irrigation and drainage and existing rights of way for ditches, canals or laterals heretofore used or conveyed in connection therewith, together with reservations and restrictions of record.

THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS SUBMITTED TO THE CLERK OF THE COURT OF THE COUNTY OF KLAMATH, OREGON, FOR RECORDING AND INDEXING. THE CLERK OF THE COURT OF THE COUNTY OF KLAMATH, OREGON, HAS REVIEWED THE SAME AND HAS FOUND IT TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL AS SUBMITTED TO THE CLERK OF THE COURT OF THE COUNTY OF KLAMATH, OREGON, FOR RECORDING AND INDEXING.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court, this 10th day of Feb., 1922.

LYN G. HARDY, Clerk of Court

STATE OF OREGON)

County of Klamath)

I, LYN G. HARDY, Clerk of the Circuit Court of the County of Klamath and 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 of the original as submitted to the Clerk of the Court of the County of Klamath, Oregon, for recording and indexing.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court, this 10th day of Feb., 1922.

LYN G. HARDY, Clerk of Court

By *[Signature]*



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Terence Brooks the 19th day of Feb. A.D., 19 22 at 10:25 o'clock A M., and duly recorded in Vol. M92 of Deeds on Page 3333.

Evelyn Biehn, County Clerk

By *[Signature]*

FEE \$45.00