

59236
MAR 31 1993
In the Probate Court of the County of Klamath, Oregon

Small Estate of:
Joseph S. Hernandez

Estate No. 9301026CV

Deceased.

**AFFIDAVIT OF CLAIMING SUCCESSOR
INTTESTATE ESTATE**

STATE OF OREGON, County of Klamath

) ss.

We, Frances V. Hernandez,

John Hernandez

We are

being first duly sworn, depose and say that: I am an

heir of the above named decedent and a "claiming successor" to a portion of said decedent's estate as set forth below.
This affidavit is made pursuant to Oregon Revised Statutes, Sections 114.505 to 114.505.

(1) Name of Decedent Joseph S. Hernandez

Age Soc. Sec. No. 566-07-8105

Domicile/Post Office Address

(2) Decedent died June 30

, 19 81, at Travis Air Force Base, Fairfield, CA

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

The NW1/4 of the NE 1/4 of Section 9, Township 41 South, Range 12 East of the Willamette Meridian. Excepting a strip of land for road purposes 60 feet wide being 30 feet on either side of the following described center line as evidenced by document recorded March 18, 1943, in Book 153, page 588 of Deed Records of Klamath County, Oregon, from B. H. Pickett et ux, to Klamath County, Oregon.

\$34,330

Personal Property Description

Fair Market Value

n/a

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

(5) ~~THE DECEDENT WAS A SINGLE PERSON.~~ Copy of last Will and Testament attached.

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

Name

Last Known Address

Frances V. Hernandez, 1455 Hayward Street S, Salem, OR 97306

Joseph R. Hernandez, 72 Hartford Street, San Francisco, CA 94114

John Hernandez, 5393 Newberg Drive, Keizer, OR 97303

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

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

Name

Interest

equal and undivided

(8) Reasonable efforts have been made to ascertain creditors of the estate. The expenses of and claims against the estate remaining unpaid or on account of which the affiant or any other person is entitled to reimbursement from the estate, including the known or estimated amounts thereof and the names and addresses of the creditors, as known to the affiant are:

Name of Creditor

Address

Nature of Expense/Claim

Known or Estimated Amount

n/a

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.

Known or Estimated Amount

Address

Name

n/a

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

(10) A copy of the affidavit 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 following address:

n/a

(b) A personal representative of the estate is appointed within the time allowed under ORS 114.555.

(12) The claim(s), if any, listed in Section (9) 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.

Signed and sworn to before me on

March 31, 1993

Notary Public for Oregon. My commission expires

ORS 114.545(3) requires that an affidavit or claimant's successor's deed executed in the manner required by ORS Chapter 93 be recorded in the deed records of any county in which real property belonging to the decedent is situated.

EXCERPT FROM ORS 114.515: "If the estate consists 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, 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 \$40,000 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 ***"

STATE OF OREGON)
County of Klamath)

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
the seal of the County of Klamath, Oregon, this March day of AP. 19 93
EYN G. HARDY, Clerk of Court



Return:

Francis V. Hernandez
1455 Hayward Street S.
Salem, OR 97306

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 31st day
of March A.D., 19 93 at 11:29 o'clock AM., and duly recorded in Vol. M93
of Deeds on Page 6487

FEE \$40.00

Evelyn Biehn County Clerk

By Annette Mueller