

12-02-93A11:17 RCVD

FORM No. 1406-A—AFFIDAVIT OF CLAIMING SUCCESSOR—TESTATE ESTATE.

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NB 72193 FILED Vol 93 Page 320259

STATE OF OREGON
In the Probate Court of the County of Klamath, Oregon

Small Estate of:

REFUGIO S. CONE

1993 NOV -5 PM 4:27

Estate No. 930403700

CLERK OF COURT

Deceased.

AFFIDAVIT OF CLAIMING SUCCESSOR
TESTATE ESTATE

STATE OF OREGON, County of Klamath) ss.

I, Thomas Lee Thornton, being first duly sworn, depose and say that: I am a devisee 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, Section 114.505 to 114.560.

(1) Name of Decedent Refugio Cone Age 90 Soc. Sec. No. 544-07-4047
Domicile/Post Office Address 811 Rose Street, Klamath Falls, Oregon 97601

(2) Decedent died December 17, 1991, at 811 Rose St. Klamath Falls, OR.
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 South 78 feet of Lot 4 in Block 1 of SHIVE'S ADDITION to City of Klamath Falls, Oregon, according to the official plat thereof on file in Klamath County, Oregon.

Personal Property Description

Fair Market Value

(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

Last Known Address

Foster L. Thornton

1895 Tulare Ave., Richmond, CA 94805

Thomas L. Thornton

290 SW Santana Pl., Portland, OR 97225

James W. Thornton

2335 Snohomish St. Richland, WA 99352

Robert D. Thornton

7220 Fairway Dr., Vancouver, WA 98662

Geraldine Conn

3642 N. Carey #129, Pomona, CA 91767

Josephine Cain

3426 Golf Dr., Parkersburg, WV 26104

A copy of this affidavit showing the date of filing and a copy of decedent's will will be delivered to each heir or mailed 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

Foster L. Thornton

1895 Tulare Ave., Richmond, CA 94805

Thomas L. Thornton

290 SW Santana Pl., Portland, OR 97225

James W. Thornton

2335 Snohomish St. Richland, WA 99352

Robert D. Thornton

7220 Fairway Dr., Vancouver, WA 98662

Geraldine Conn

3642 N. Carey #129, Pomona, CA 91767

Josephine Cain

3462 Golf Dr., Parkersburg, WV 26104

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.

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

Name	Interest
Foster L. Thornton	1/6
Thomas L. Thornton	1/6
Robert E. Thornton	1/6
James W. Thornton	1/6
Geraldine Conn	1/6
Josephine Cain	1/6

(9) 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
None			

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
None		

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.

(11) 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.

(12) Claims against the estate not listed herein or in amounts larger than those listed herein may be barred

if a claim is presented to the affiant within four months of the filing of this affidavit at the following address:

_____; or

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

(14) The claim(s) listed in Section (10) 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.

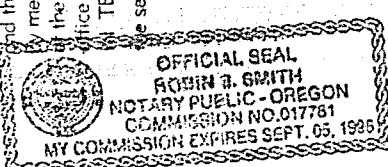
Thomas L. Thornton

Signed and sworn to before me on September 17, 1993.

by Thomas L. Thornton

Robin A. Smith

Notary Public for Oregon. My commission expires 9/5/96.



ORS 114.545(3) requires that an affiant or claiming 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, 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 ***."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm. Ganong the 2nd day of Dec. A.D., 19 93 at 11:17 o'clock A M., and duly recorded in Vol. M93 of Deeds on Page 32025

Evelyn Biehn, County Clerk
By *Evelyn Biehn*

FEE \$35.00