

AFTER RECORDING RETURN TO:  
Law office of Tim Nay  
6720 S.W. Macadam, Suite 200  
Portland, OR 97219

FILED  
STATE OF OREGON  
KLAMATH CO. CIRCUIT COURT

1995 JUN -5 PM 4:48

CLERK OF COURT

BY \_\_\_\_\_

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF KLAMATH

Department of Probate

In the Matter of the Estate  
of

ALICE M. PEARSON,  
Deceased.

No. 9502403 CV  
AFFIDAVIT OF CLAIMING  
SUCCESSOR OF SMALL ESTATE OF  
TESTATE ESTATE

STATE OF CALIFORNIA )  
County of Santa Clara ) ss.

I, A. Lorraine Miller, being first duly sworn, say:

I am the claiming successor, as defined in ORS 114.505(1),  
to the decedent's estate. I am hereinafter referred to as  
"affiant." This affidavit is hereinafter referred to as  
"affidavit." This affidavit is made pursuant to ORS 114.505 -  
114.560.

1. The following information is given with regard to the  
decedent:

Page 1 - AFFIDAVIT OF CLAIMING SUCCESSOR OF SMALL ESTATE OF TESTATE  
ESTATE

TIM NAY, M.S.W., ATTORNEY AT LAW  
Willamette Oaks Building  
6720 S.W. Macadam Avenue, Suite 200  
Portland, OR 97219-2312  
(503) 245-0894

(a) Name: Alice M. Pearson  
(b) Age: 85  
(c) Domicile: Santa Clara County, California  
(d) Address: P.O. Box 1307  
Cupertino, CA 95015  
(e) Social Security No.: 571-28-4418

2. The decedent died on July 3, 1994 in Santa Clara County, California. A certified copy of the decedent's death certificate is attached as Exhibit 1.

3. The decedent's property subject to administration in Oregon consists of the following real property in Klamath County, Oregon and fair market value thereof:

Parcel No. 1, legally described as:

The NE 1/4 of the NW 1/4 of Section 22, Township 40 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

SUBJECT TO:

1. The rights of the public in and to that portion of the above property lying within the limits of roads and highways.

FAIR MARKET VALUE: \$21,340

Parcel No. 2, legally described as:

The E 1/2 of the SE 1/4 of the SW 1/4 of Section 15, Township 40 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

SUBJECT TO:

1. The rights of the public in and to that portion of the above property lying within the limits of roads and highways.

FAIR MARKET VALUE: \$11,370

4. No application or petition for the appointment of a

1 personal representative has been granted in Oregon.

2 5. The decedent died testate and the decedent's last will,  
3 dated August 13, 1986, was admitted to probate in Santa Clara  
4 County, California. A court-certified copy and the original  
5 certification by the clerk of said county is attached as Exhibit  
6 2.

7 6. The decedent's only heir and the heir's last address  
8 known to the affiant and the heir's relationship to the decedent  
9 are:

10	A. Lorraine Miller	Daughter
11	5505 Big Oak Drive	
	San Jose, CA 95129	

12 7. The decedent's devisee and the devisee's last address  
13 known to the affiant are:

14	A. Lorraine Miller
15	5505 Big Oak Drive
	San Jose, CA 95129

16 8. The affiant, sole heir and sole devisee are the same  
17 person.

18 9. The interest in decedent's property described in this  
19 affidavit to which each devisee is entitled is:

20	<u>Name</u>	<u>Interest</u>
21	A. Lorraine Miller	100%

22 10. Reasonable efforts have been made to ascertain each  
23 creditor of the estate. The expenses of and claims against the  
24 estate remaining unpaid or on account of which the affiant or any  
25 other person is entitled to reimbursement from the estate,  
26 including any known or estimated amount thereof, and the name and

Page 3 - AFFIDAVIT OF CLAIMING SUCCESSOR OF SMALL ESTATE OF TESTATE  
ESTATE

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Portland, OR 97219-2312  
(503) 245-0894

1 address of each creditor, as known to the affiant are: None.

2 11. There are no claims against the decedent remaining  
3 unpaid which are disputed by the affiant.

4 12. A copy of this affidavit showing the date of filing  
5 will be delivered or mailed to:

6 Estate Administration Unit  
7 Adult & Family Services Division  
8 Post Office Box 14021  
9 Salem, OR 97309

10 Oregon Department of Revenue  
11 Salem, Oregon 97310

12 13. Claims against the estate not listed herein, or in  
13 amounts larger than those listed herein, may be barred unless  
14 (a) a claim is presented to the affiant within four months of the  
15 filing of this affidavit at the address stated in this affidavit  
16 or (b) a personal representative of the estate is appointed  
17 within the time allowed under ORS 114.555.

18 14. If there is listed one or more claims that the affiant  
19 disputes, any such claim may be barred unless (a) a petition for  
20 summary determination is filed within four months of the filing  
21 of this affidavit; or (b) a personal representative of the estate  
22 is appointed within the time allowed under ORS 114.555.

23 15. The address for the purposes of presenting a claim to  
24 the affiant is:

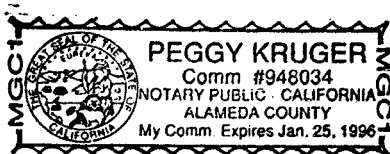
25 A. Lorraine Miller  
26 c/o Sam Friedenberg  
The Law Office of Tim Nay  
6720 SW Macadam Avenue, Suite 200  
Portland, Oregon 97219

1 16. Any noun or verb used in this affidavit shall be  
2 construed as either singular or plural as the context requires.

3 17. Exhibits 1 and 2 attached hereto are each hereby made a  
4 part hereof as though fully set forth at the place where  
5 reference to the exhibit is made.

6  
7 A. Lorraine Miller  
A. Lorraine Miller

8 SUBSCRIBED and sworn to before me this 25<sup>th</sup> day of  
9 May, 1995.



14  
15  
16  
17  
18  
19  
20  
21

Peggy Kruger  
Notary Public for California  
My Commission Expires: 1/25/96

22 Affiant:

23 A. Lorraine Miller  
5505 Big Oak Drive  
San Jose, CA 95129

24 Attorney for Affiant:

25 Sam Friedenberg, OSB #85205  
Law Office of Tim Nay  
6720 SW Macadam Avenue, Suite 200  
26 Portland, Oregon 97219

05001

16649A

CIRCUIT COURT OF THE STATE OF OREGON )  
(County of Klamath )  
I, LYN Q. HARDY, Clerk of the Circuit Court of the County of Klamath  
do hereby certify that the foregoing copy has  
been compared with the original, and that it is a transcript  
of the whole of such original as the same appears on  
the 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 6 day of June, A.D. 1925

LYN Q. HARDY, Clerk of Court

By [Signature]

# COUNTY of SANTA CLARA

16650

HEALTH DEPARTMENT  
2220 MOORPARK AVE., SAN JOSE, CALIFORNIA 95128

## CERTIFICATE OF DEATH

STATE FILE NUMBER		STATE OF CALIFORNIA USE BLACK INK ONLY/NO ERASURES, WHITEOUTS OR ALTERATIONS VS-11 (REV. 7/92)				LOCAL REGISTRATION NUMBER	
1. NAME OF DECEDENT—FIRST (GIVEN) <b>ALICE</b>		2. MIDDLE <b>M.</b>		3. LAST (FAMILY) <b>PEARSON</b>			
4. DATE OF BIRTH MM/DD/CCYY <b>05/07/1909</b>		5. AGE YRS. <b>85</b>		6. SEX <b>F</b>		7. DATE OF DEATH MM/DD/CCYY <b>07/03/1994</b>	
9. STATE OF BIRTH <b>MT</b>		10. SOCIAL SECURITY NO. <b>571-28-4418</b>		11. MILITARY SERVICE <b>NO</b>		12. MARITAL STATUS <b>WIDOW</b>	
13. EDUCATION—YEARS COMPLETED <b>10</b>		14. RACE <b>CAUCASIAN</b>		15. INFIRM—SPECIFY <b>NO</b>		16. USUAL EMPLOYER <b>HEWLETT PACKARD</b>	
17. OCCUPATION <b>MILITARY PACKAGING ENGINEER</b>		18. KIND OF BUSINESS <b>MANUFACTURING</b>		19. YEARS IN OCCUPATION <b>25</b>			
20. RESIDENCE—STREET AND NUMBER OR LOCATION <b>5505 BIG OAK DRIVE</b>		21. CITY <b>SAN JOSE</b>		22. COUNTY <b>SANTA CLARA</b>		23. ZIP CODE <b>95129</b>	
24. YRS IN COUNTY <b>68</b>		25. STATE OR FOREIGN COUNTRY <b>CA</b>					
26. NAME, RELATIONSHIP <b>LORRAINE MILLER - DTR.</b>		27. MAILING ADDRESS (STREET AND NUMBER OR RURAL ROUTE NUMBER, CITY OR TOWN, STATE, ZIP) <b>5505 BIG OAK DR., SAN JOSE, CA 95129</b>					
28. NAME OF SURVIVING SPOUSE—FIRST <b>WILLIAM</b>		29. MIDDLE <b>JUSTICE</b>		30. LAST <b>IN</b>		31. BIRTH STATE <b>CANADA</b>	
32. NAME OF MOTHER—FIRST <b>PRUDENCE</b>		33. MIDDLE <b>MARKS</b>		34. LAST <b>MARKS</b>		35. BIRTH STATE <b>CANADA</b>	
36. DATE MM/DD/CCYY <b>07/11/1994</b>		40. PLACE OF FINAL DEPOSITION <b>OAK HILL MEMORIAL PARK, SAN JOSE, CA</b>					
41. TYPE OF DISPOSITIONS <b>CR/BU</b>		42. SIGNATURE OF REGISTRAR <b>NOT EMBALMED</b>				43. LICENSE NO. <b>—</b>	
44. NAME OF FUNERAL DIRECTOR <b>OAK HILL FUNERAL HOME</b>		45. LICENSE NO. <b>FD-991</b>				47. DATE MM/DD/CCYY <b>07/07/1994</b>	
101. PLACE OF DEATH <b>MT. VIEW CONV. HOSP</b>		102. IF HOSPITAL, SPECIFY ONE <b>IP</b>		103. FACILITY OTHER THAN HOSPITAL <b>NO</b>		104. COUNTY <b>SANTA CLARA</b>	
105. STREET ADDRESS—STREET AND NUMBER OR LOCATION <b>2530 SOLACE PLACE</b>		106. CITY <b>MT. VIEW</b>		107. DEATH REPORTED TO CORONER <b>YES</b>			
108. DEATH WAS CAUSED BY (ENTER ONLY ONE CAUSE PER LINE FOR A, B, C, AND D) <b>CHRONIC LYMPHOCYTIC LEUKEMIA</b>		109. TIME INTERVAL BETWEEN ONSET AND DEATH <b>1 YEAR</b>		110. DEATH REPORTED TO CORONER <b>YES</b>			
111. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN 107 <b>HEMOLYTIC ANEMIA, STROKES, DEMENTIA</b>		112. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 111? IF YES, LIST TYPE OF OPERATION AND DATE. <b>NO</b>		113. SIGNATURE AND TITLE OF CORONER <b>STEPHEN NICHOLS MD</b>			
114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED. <b>11/01/1987 06/23/1994</b>		115. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS - ZIP <b>STEPHEN NICHOLS MD, 731 ALTOS OAKS DR, LOS ALTOS, CA94024</b>		116. LICENSE NO. <b>G55923</b>		117. DATE MM/DD/CCYY <b>07/05/1994</b>	
118. MANNER OF DEATH <b>NATURAL</b>		119. HURRY AT HOME <b>YES</b>		120. HURRY DATE MM/DD/CCYY <b>07/05/1994</b>		121. HOUR <b>—</b>	
122. LOCATION (STREET AND NUMBER OR LOCATION AND CITY AND ZIP CODE) <b>—</b>		123. SIGNATURE OF CORONER OR DEPUTY CORONER <b>—</b>		124. DATE MM/DD/CCYY <b>—</b>		125. TYPE NAME, TITLE OF CORONER OR DEPUTY CORONER <b>—</b>	

H702908

STATE OF CALIFORNIA  
COUNTY OF SANTA CLARA

DATE ISSUED  
BY

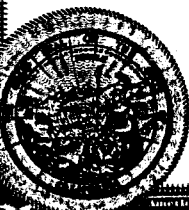
JUL 07 1994

This is a true and exact reproduction of the document officially registered and placed on file in the VITAL RECORDS SECTION, DEPARTMENT OF PUBLIC HEALTH.

STEPHEN A. CORAY, MD  
HEALTH OFFICER AND LOCAL REGISTRAR  
OF BIRTHS AND DEATHS

### EXHIBIT 1

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.



In the Superior Court of the State of California

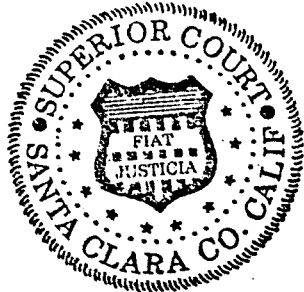
16651

IN AND FOR THE COUNTY OF SANTA CLARA

STATE OF CALIFORNIA,  
COUNTY OF SANTA CLARA

(Will)  
Case # 20034

I, MARILYN PESTARINO ZECHER, one of the Judges of the  
Superior Court of said State and County, do hereby certify that  
STEPHEN V. LOVE whose name is subscribed to the foregoing  
Certificate of Attestation, now is, and was at the time of signing and sealing the same,  
Clerk of Santa Clara County, State of California, and ex-officio Clerk of said above named  
Court and keeper of the Records and Seals thereof, duly elected and qualified; that full faith  
and credit are and of right ought to be given to all of his official acts as such in all Courts of  
Record and elsewhere; that said signature is genuine, and that his said attestation is in due  
form of law and by the proper officer.



Given under my hand this 14th day of

October, A. D. 1994

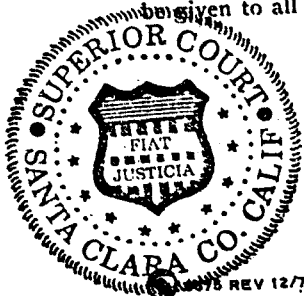
Marilyn Pestarino Zecher

Judge of the Superior Court of the State of California, in and for  
the County of Santa Clara.

STATE OF CALIFORNIA,  
COUNTY OF SANTA CLARA

(Will)  
Case # 20034

I, STEPHEN V. LOVE Clerk of Santa Clara County,  
and ex-officio Clerk of the Superior Court in and for said County and State, do hereby cer-  
tify that MARILYN PESTARINO ZECHER, whose genuine  
signature appeared to the foregoing certificate, was, at the time of signing the same, one of  
the Judges of the Superior Court of the State of California, in and for the County of Santa  
Clara, duly commissioned and qualified; that full faith and credit are and of right ought to  
be given to all his official acts, as such, in all Courts of Record and elsewhere.



In Testimony Whereof, I have hereunto set my hand, and affixed the seal

of said Court, at my office, this 14th

day of October, A. D. 1994

EXHIBIT 2

Stephen V. Love  
County Clerk and ex-officio Clerk of the Superior Court of the State  
of California, in and for the County of Santa Clara.



FILED

OCT 14 1994

20034

**Last Will and Testament of**  
**ALICE PEARSON**

STEPHEN V. LOVE  
 County Clerk  
 Santa Clara County

BY \_\_\_\_\_ DEPUTY

I, ALICE PEARSON, a resident of Santa Clara County, California, declare that this is my Will.

FIRST: I revoke all Wills and Codicils that I have previously made.

SECOND: 1. I was previously married to Thomas Harvey Pence, which marriage was terminated by divorce in 1930. I had one child from that marriage, A. LORRAINE MILLER.

2. I married HARRY CARROLL PEARSON on September 5, 1953, which marriage terminated upon his death on November 8, 1979. No children resulted from my marriage to him and I have not since married.

3. I have one (1) child now living, A. LORRAINE MILLER. I have no deceased children leaving issue surviving. I have three adult grandchildren now living, the children of A. LORRAINE MILLER, whose names are: NORMAN S. MILLER, MARILYN J. BEATTIE, and PEGGY A. ANDERS. DOUGLAS B. MILLER, my grandchild, a Deputy Sheriff of Santa Clara County, died in the line of duty in 1986 without leaving issue surviving him.

THIRD: I give all my estate to my daughter, A. LORRAINE MILLER, if she survives me for one hundred twenty (120) days, and if she does not, I give all my estate to my issue who survive me for that period, by right of representation.

FOURTH: I nominate my son-in-law, WALTER H. MILLER, the husband of my daughter, A. LORRAINE MILLER, as Executor of this Will, to serve without bond. If he shall for any reason fail to qualify or cease to act as Executor, I nominate my grandson, NORMAN S. MILLER, as Executor, to serve without bond.

FIFTH: My estate may be administered under The California Independent Administration of Estates Act.

SIXTH: I authorize my Executor to sell, with or without notice, at either public or private sale, and to lease any

property belonging to my estate, subject only to such confirmation of court as may be required by law.

SEVENTH: As used in this Will, the masculine, feminine, or neuter gender, and the singular or plural number, shall each be deemed to include the others whenever the context so indicates.

I subscribe my name to this Will this 13<sup>th</sup> day of AUGUST, 1986, at CUPERTINO, California.

Alice Pearson

ALICE PEARSON

On the date written below, ALICE PEARSON, declared to us, the undersigned, that this instrument, consisting of two (2) pages including the page signed by us as witnesses was her Will and requested us to act as witnesses to it. She thereupon signed this Will in our presence, all of us being present at the same time. We now, at her request, in her presence and in the presence of each other, subscribe our names as witnesses.

Executed on AUGUST 13, 1986,  
at Cupertino, California.

We declare under penalty of perjury that the foregoing is true and correct.

Loh M. Hanby residing at 505 W. OLIVE AVE #115

SUNNYVALE, CALIF.

Mary Meyer residing at 642 E. HYDE PARK BLVD

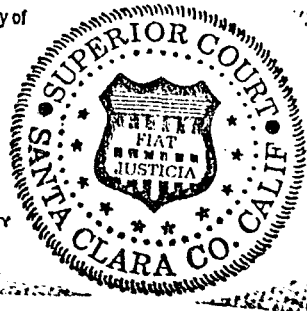
LOS ANGELES, CA 90002

The foregoing instrument is a correct copy of  
the original on file in this office

ATTEST:

OCT 14 1994

STEPHEN V. LOVE  
COUNTY CLERK - Santa Clara County  
County Clerk and ex-officio Clerk of the Superior Court of the  
State of California in and for the County of Santa Clara  
BY *[Signature]* DEPUTY



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Sam Friedenberg the 26th day  
of June A.D., 19 95 at 11:45 o'clock A M., and duly recorded in Vol. M95  
of Deeds on Page 16645

FEE \$75.00

Bernetha G. Letsch, County Clerk  
By *Annette Mueller*