

135776

AFFIDAVIT

STATE OF CALIFORNIA)
COUNTY OF Orange) ss

BEING FIRST DULY SWORN, comes now your Affiant, and deposes and says:

1. My name is the Hon. Warren J. Ferguson; my occupation is senior judge of the United States Court of Appeals for the Ninth Circuit at 500 Federal Building, 34 Civic Center Plaza, Santa Ana, CA 92701.

2. I am a native of Eureka, Nevada, the son of Ralph and Marion Ferguson; I am a graduate of Eureka High School.

3. I was raised in the home owned and occupied by my parents on Edwards Street in the unincorporated Town of Eureka which presently is owned and occupied by LeRoy W. and Mary Jean Etchegaray, more fully described as:

All of Lots Seven and Eight in Block Fifty-seven of the Official Plat of the Unincorporated Town of Eureka, County of Eureka, State of Nevada, together with all improvements situate thereon.

and lived in said dwelling from the year 1920, more or less, through the year 1942, more or less.

4. I affirm of my own knowledge that my parents abovenamed did, on or about the 6th day of July, 1956, sell the above described real property to my cousins, LeRoy W. and Mary Jean Etchegaray.

5. I have examined that certain "Joint Tenancy Deed"

1
2 recorded as File No. 32518 in the Official Records of the Eureka
3 County Recorder, a copy of which is attached to this affidavit
4 and made a part hereof by reference, and affirm on information
5 and belief that the said instrument was intended by my parents
6 to transfer all of their right, title and interest in the said
7 property to Leroy W. and Mary Jean Etchegaray by statutory
8 grant, bargain and sale deed.

9 6. I affirm upon information and belief that it was the
10 intention of my parents that the signatures typed on the said
11 instrument were intended by them to be effective as their actual
12 signatures, the same as if duly executed in their actual
13 handwriting.

14 7. I affirm upon information and belief that LeRoy W. and
15 Mary Jean Etchegaray became seized with all right, title and
16 interest to the said property upon the recording of the
17 instrument above described.

18 FURTHER, YOUR AFFIANT SAYS NOT on this 14 day of
19 January, 1991.

20 Warren J. Ferguson
21 WARREN J. FERGUSON

22 Subscribed and sworn to before me, a Notary Public in and for
23 said state and county, this 14TH day of JANUARY, 1991.

24 Michael G. Fremont
25 Notary Public



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BOOK 220 PAGE 063
 OFFICIAL RECORDS
 RECORDED AT THE REQUEST OF
Mary Jean Etcheagaray
 91 JUN 29 P 3 01 P
 EUREKA COUNTY, NEVADA
 M.N. REBALEATI, RECORDER
 FILE NO. FEE \$ 7.00
 135776

File No. 32518

Ralph Ferguson and
 Marion Ferguson,
 husband and wife,

to

LeRoy Wayne Etcheagaray and
 Mary Jean Etcheagaray,
 husband and wife.

JOINT TENANCY DEED (U.S.I.R. Stamps affixed and cancelled \$ 3.85)

JOINT TENANCY DEED

THIS INDENTURE, made and entered into this 6th day of July, 1956, by and between RALPH FERGUSON and MARION FERGUSON, husband and wife, of the town of Eureka, Nevada, first parties, and LeROY WAYNE ETCHEGARAY and MARY JEAN ETCHEGARAY, husband and wife, of the same place, second parties,

W I T N E S S E T H:

That the first parties for and in consideration of the sum of Ten (\$10.00) dollars, lawful money of the United States of America, and other and further valuable consideration, to them in hand paid by the said second parties, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto the said second parties, in Joint Tenancy, with the right of survivorship of them, and not as tenants in common, all of the following described real property, situate at and within the town of Eureka, Nevada, and more particularly bounded and described as follows, to-wit:

All of Lots Seven and Eight in Block Fifty-Seven,
 Together with the House and furniture located thereon.

TOGETHER with all and singular the appurtenances, tenements, and hereditaments thereunto appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD the said lots, appurtenances and improvements thereof, unto the said second parties, in Joint Tenancy, with the right of survivorship, and not as tenants in common.

IN WITNESS WHEREOF, the said first parties have hereunto set their hands the day and year first above in this instrument written.

Marion Ferguson

Ralph Ferguson

STATE OF NEVADA)
 : ss
 County of Eureka)

On this 6th day of July, 1956, personally appeared before me, a County Clerk in and for said county and state, RALPH FERGUSON and MARION FERGUSON, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above in this certificate written.

(Official Seal) Ed Delaney
 County Clerk.

Recorded at the Request of Mrs. Tossie Damele July 9 A.D., 1956 At 21 Min. past 8 A.M.

K. B. Crane--Recorder.
 By Angela Evans--Deputy.