

IN THE COUNTY COURT OF CASS COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE            )   Book 16                           Page 498  
  )  
  )           APPLICATION FOR INFORMAL  
  )           PROBATE OF WILL AND  
MARVIN O. PETEREIT,                    )           INFORMAL APPOINTMENT OF  
  )           PERSONAL REPRESENTATIVE  
  )           Deceased.

1. Applicant, as designated Personal Representative, is an interested person as defined by the Nebraska Probate Code section 30-2209(21).

2. Name of Decedent                    : Marvin O. Petereit  
Date of Death                           : December 18, 1980  
Age at Date of Death                  : 57 years  
Domicile at Date of Death: Plattsmouth, Nebraska,  
  Cass County  
The statutory time limit for informal probate has not expired.

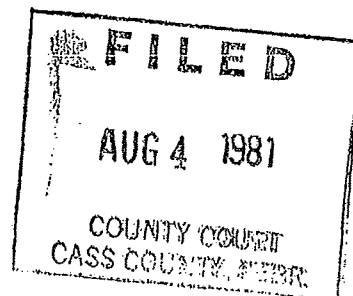
3. Venue for this proceeding is proper in this county because Decedent was a domiciliary of this county as the date of death.

4. No personal representative has been appointed in this state or elsewhere.

5. Applicant has not received a Demand for Notice and is unaware of any demand for notice of any probate or appointment proceeding concerning the Decedent that may have been filed in this state or elsewhere.

6. The Decedent's Will dated November 19, 1976 accompanies this Application and is hereby filed with this Court and offered for probate.

7. The Applicant, to the best of his knowledge, believes the Will dated November 19, 1976 to have been validly executed, and after the exercise of reasonable diligence, the Applicant is unaware of any instrument revoking the Will and believes that said Will constitutes Decedent's last Will.



8. Applicant nominates Verona T. Petereit as Personal Representative, who is qualified and whose status of priority is that of Designated Personal Representative pursuant to the terms and conditions of the Last Will and Testament of Marvin O. Petereit, dated November 19, 1976.

9. Minimum bond is required because the Will provides for appointment with minimum bond.

10. The names and addresses of Decedent's spouse, children, heirs, devisees and other interested parties and ages of those who are minors, so far as known or ascertainable by reasonable diligence by Applicant, are:

<u>NAME</u>	<u>ADDRESS</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
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SEE ATTACHED EXHIBIT A

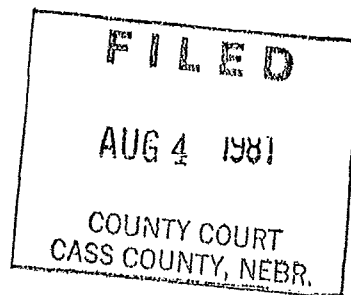
11. Decedent had no change of marital status or the birth or adoption of any children after execution of the Will; no child of the Decedent has been born since his death; and no birth of a child of the Decedent is anticipated.

WHEREFORE, Applicant requests that the Registrar issue a written Statement of Informal Probate; that the above nominee be informally appointed the Personal Representative with minimum bond; that the administration of the estate be unsupervised; and that letters of appointment be issued to said Personal Representative.

Dated this 22nd day of July, 1981.

Verona T. Petereit  
Personal Representative

Verona T. Petereit



David J. Nielson  
McGrath, North, O'Malley & Kratz, P.C.  
300 Continental Building  
Omaha, Nebraska 68102  
(402) 341-3070

STATE OF NEBRASKA )  
                          ) ss  
COUNTY OF CASS     )

VERONA T. PETEREIT, being first duly sworn on oath, deposes and says that she is the Applicant named in the foregoing Application, that she has read it, knows the contents therein, and that the facts therein contained are accurate and complete to the best of her knowledge and belief.

Verona T. Petereit  
VERONA T. PETEREIT

SUBSCRIBED and sworn to before me on this 2nd day of July, 1981.



CARL P. OEE  
GENERAL NOTARY - State of Nebr.

Carl P. Oee  
Notary Public

FILED  
AUG 4 1981  
COUNTY COURT  
CASS COUNTY, NEBR.

EXHIBIT A

<u>NAME</u>	<u>AGE</u>	<u>Relationship</u>	<u>Heir</u>	<u>STATUS</u> <u>Devisee</u>
Verona T. Petereit Route 2 Plattsmouth, Nebraska 68048	Lgl.	Surviving Spouse	X	X
Susan M. Delinger	Lgl.	Child	X	X
Janet R. Toman	Lgl.	Child	X	X
Dennis M. Petereit	Lgl.	Child	X	X
Kurt D. Petereit	Lgl.	Child	X	X

FILED  
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COUNTY COURT  
CASS COUNTY, NEBR.

LAST WILL AND TESTAMENT

I, the undersigned, Marvin O. Petereit, being of sound and disposing mind and memory, do hereby make and publish this my Last Will and Testament, hereby revoking any and all former Wills by me at any time made.

FIRST: I direct that the legally enforceable debts against my estate and the expenses of my last illness and burial be paid first out of my estate.

SECOND: In the event my beloved wife, Verona T. Petereit, survives me, then I hereby give, bequeath and devise all personal property of which I may die seized and wheresoever situated to my said wife to be hers absolutely and forever and I hereby name, nominate and appoint my said wife as executrix and personal representative of my estate and request that she be permitted to serve with minimum bond.

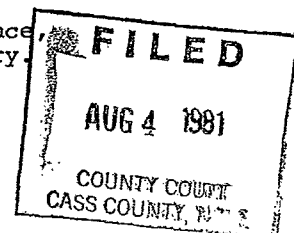
THIRD: In the event my beloved wife, Verona T. Petereit, survives me, then I hereby give, bequeath and devise a lifetime interest in all real property of which I may die seized, wheresoever situated, to my said wife such that she receive the income and use of all real property of which I may die seized for and during her entire lifetime and I hereby give, bequeath and devise the remainder interest in all real property of which I may die seized to my four children, share and share alike, such that each of said children shall receive an undivided one-fourth fractional share of the real property of which I may die seized.

FOURTH: In the event my beloved wife, Verona T. Petereit, does not survive me, then I hereby give, bequeath and devise an undivided one-fourth fractional interest in all property of which I may die seized, whether real, personal or mixed and wheresoever situated to each of my three oldest children, Susan M. Dellinger, Janet R. Toman and Dennis M. Petereit, to be theirs absolutely and forever.

FIFTH: In the event my beloved wife does not survive me and in the further event that any of my three oldest children do not survive me, then I hereby give, bequeath and devise that undivided one-fourth fractional share which that predeceased child would have taken to the surviving husband or wife of that predeceased child of mine.

SIXTH: In the event my beloved wife does not survive me then I hereby give, bequeath and devise the remaining undivided one-fourth fractional share of my estate to my son, Dennis M. Petereit, as trustee, in trust nevertheless, to be held by him in trust for the following purposes and with the following authority and power:

a. I direct that said trustee use the said undivided one-fourth fractional share of my estate for the care, maintenance, support and education of my youngest child, Kurt D. Petereit, until such time that he has either completed four years of college or university education and training or until he has attained the age of twenty-two (22) years, whichever occurs first; and said trustee shall have full authority and discretion in the use of my estate for the benefit of the said Kurt D. Petereit with the only requirement that all expenditures must be for the care, maintenance, support and education of the said beneficiary.



b. The trust provided for herein shall continue only until such time as the said Kurt D. Petereit completes four years of college or university education and training or until he has attained the age of twenty-two (22) years, whichever occurs first, and upon the termination of the trust provided for herein, the said trustee shall distribute the remaining balance of the trust to Kurt D. Petereit.

SEVENTH: In the event my beloved wife does not survive me, then I hereby name, nominate and appoint my son, Dennis M. Petereit, as executor and personal representative of my estate.

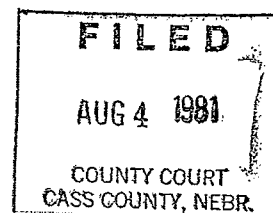
IN WITNESS WHEREOF I have hereunto set my hand this 19<sup>th</sup> day of November, 1976.

Marvin O. Petereit

SIGNED, SEALED, PUBLISHED and DECLARED by the above named Testator, Marvin O. Petereit, as and for his Last Will and Testament, in the presence of us, who at his request, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses thereto.

Richard W. Strong

Beverly Baumgardner





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	)		
OF	)		
	)		
IRVIN O. PETEREIT, Deceased.	)	<u>INVENTORY</u>	
	)		

The undersigned Personal Representative hereby certifies that the schedules attached hereto are a true and complete inventory of the property owned by the Decedent at the time of death, together with the type and amount of any encumbrance existing with reference to any item. Attached hereto are the following schedules:

	Total Value at Date of Death
Schedule A - Real Estate	\$ 180,000.00
Schedule B - Stocks and Bonds	1,887.00
Schedule E - Jointly Owned Property	184,930.00
Schedule F - Miscellaneous Property	<u>255.00</u>
 TOTAL	 <u>\$ 367,072.00</u>
 Schedule K - Mortgages and Liens	 <u>\$ 58,250.00</u>



8. Pursuant to the Last Will and Testament of the decedent, Marvin O. Petereit, after the payment of all debts and expenses of the estate, the decedent devised, gave and bequeathed to his spouse, Verona T. Petereit all personal property owned by the decedent.

The Last Will and Testament further provided that the decedent's spouse, Verona T. Petereit, was given, bequeathed and devised a life interest in all real property which the deceased owned or had an interest in at the time of his death. That property is described as follows:

An undivided one-half interest in the East Half of the Northeast Quarter of Section 7, Township 12 North, Range 13; the West Half of the Northeast Quarter of Section 13, Township 12 North, Range 12; and the East Half of the Northeast Quarter of Section 13, Township 12 North, Range 12 East of the 6th P.M., all in Cass County, Nebraska.

Upon the death of Verona T. Petereit, the remainder interest in the above such property subject to the life estate of Verona T. Petereit passes in equal shares to the following four children:

Susan M. Dellinger  
Janet R. Toman  
Dennis M. Petereit  
Kurt D. Petereit

FILED

MARVIN O. PETEREIT ESTATE

SCHEDULE A - REAL ESTATE

1. An undivided one-half interest in the East Half of the Northeast Quarter (E 1/2 NE 1/4) of Section 7, Township 12 North, Range 13; the West Half of the Northeast Quarter (W 1/2 NE 1/4) of Section 13, Township 12 North, Range 12; and the East Half of the Northeast Quarter (E 1/2 NE 1/4) of Section 13, Township 12 North, Range 12 East of the 6th P.M., all in Cass County, Nebraska. (240 Acres)

\$180,000.00

IN THE COUNTY COURT OF CASS COUNTY, NEBRASKA

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OF )

SCHEDULE OF DISTRIBUTION

MARVIN O. ~~PETEREIT~~, Deceased. )

*[Faint, illegible text, possibly a stamp or bleed-through]*

1. At the time of the approval of the Final Report and Petition for Final Settlement, Verona T. Petereit, is entitled to all of the net personal property passing from the Decedent's estate.

2. Pursuant to the Decedent's Last Will and Testament, the Decedent's surviving spouse, Verona T. Petereit, shall be entitled to a life interest in the following described real property:

An undivided one-half interest in:  
The East Half of the Northeast Quarter of Section 7, Township 12 North, Range 13;  
the West Half of the Northeast Quarter of Section 13, Township 12 North, Range 12;  
and the East Half of the Northeast Quarter of Section 13, Township 12 North, Range 12 East of the 6th P.M., all in Cass County, Nebraska.

3. Each child, Susan M. Dellinger, Janet R. Toman, Dennis M. Petereit, and Kurt D. Petereit shall receive an undivided one fourth interest in the above described real estate subject to a life estate in Verona T. Petereit.

VERONA T. PETEREIT, Personal Representati

By: *[Signature]*

Jeffrey L. Stoehr

MCPATH, NORTH, O'MALLEY & KRATZ, P.C.  
200 Continental Building  
Omaha, Nebraska 68102  
(402) 341-3070

**FILED**  
FEB 22 1982  
COUNTY COURT  
CASS COUNTY, NEBR.