

FILED BY THE CLERK
SARPY COUNTY COURT
12 MAR 20 PM 4:15

IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF)
JOSEPH J. CASCIO, SR., Deceased.)

No. 12-12-68

APPLICATION FOR INFORMAL
PROBATE OF WILL AND INFORMAL
APPOINTMENT OF PERSONAL
REPRESENTATIVE

APPLICANT STATES:

1. Dianne Carroll as child, heir, beneficiary, lineal descendant, personal representative, and trustee is an interested person as defined by the Nebraska Probate Code Section 30-2209(21).
2. Name of Decedent: Joseph J. Cascio, Sr.
Date of Death: January 17, 2012. ✓
Age at Date of Death: Eighty Nine (89) Years.
Domicile at Date of Death: Bellevue, NE.
3. Venue for this proceeding is proper in this county because the Decedent was a domiciliary of this county at 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 September 28, 2011, if not presently in the possession of this Court, accompanies this Application and is hereby filed with this Court and offered for probate.
7. The Applicant, to the best of Applicant's knowledge, believes the Will dated September 28, 2011, 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, as Personal Representative, Dianne Carroll, who is qualified and whose status of priority is stated in last will and testament. The nominated Personal Representative is neither indebted to the estate nor a creditor of the estate.
9. No bond is required because stated in last will and testament
10. Decedent's spouse having predeceased him, the names, relationships and address of Decedent's children, heirs, devisees, and other interested parties, and ages of those who are minors, and those who are incompetent so far as known or ascertainable by reasonable diligence by Applicant, are:

Name	Relationship	Address	Minor's Age	Incompetent?
Dianne Carroll	daughter	15926 Yates Street, Omaha, NE 68116		No
Joseph J Cascio, Jr.	son	3316 N. 131st Circle, Omaha, NE 68164		No
Larry T Cascio	son	8009 South 25th Street, Omaha, NE 68147		No
Terry T Cascio	son	652 South 84th Street, Omaha, NE 68114		No
Judy Cascio	daughter	1901 Cascio Drive, Bellevue, NE 68005		No

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 Decedent's 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 without bond; that the administration of the estate be unsupervised; and that letters of appointment be issued to said Personal Representative.

Dated: March 19, 2012.



Dianne Carroll
15926 Yates Street
Omaha, NE 68116

Personal Representative




Sean D. Moylan (Bar I.D. # 22940)
Moylan Law, LLC
1010 South 120th St., Ste. 320
Omaha, NE 68154
Tel: (402) 390-2470
Fax: (402) 390-9180
E-mail: sean@moylanlaw.com

Attorney

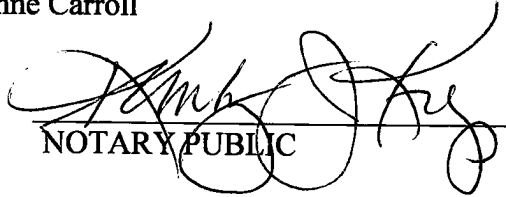
STATE OF NEBRASKA)
) SS:
COUNTY OF SARPY)

Dianne Carroll as child, heir, beneficiary, lineal descendant, personal representative, and trustee, the undersigned, being first duly sworn on oath, deposes and says that the undersigned is the Applicant named in the foregoing Application, that the undersigned has read it, knows the contents therein, and that the facts therein contained are accurate and complete to the best of the undersigned's knowledge and belief.

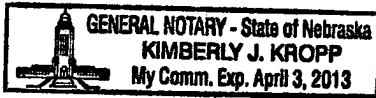

Dianne Carroll
15926 Yates Street
Omaha, NE 68116
Personal Representative

STATE OF NEBRASKA)
) SS:
COUNTY OF SARPY)

The foregoing instrument was acknowledged before me this
March 19, 2012 by Dianne Carroll


NOTARY PUBLIC

(SEAL)



FILED BY THE CLERK
SARPY COUNTY DISTRICT COURT
12 MAR 20 11 43 AM '11

LAST WILL AND TESTAMENT

I, JOSEPH J. CASCIO, SR. of Bellevue, Nebraska, being of sound mind and memory, do hereby make, publish and declare this my Last Will and Testament, hereby revoking all former wills and codicils by me made.

FIRST: My spouse's name is KATHERINE A. CASCIO.

SECOND: I will and direct that all legally enforceable debts and funeral expenses be paid, whether or not such expenses are attributable to property included in my probate estate.

THIRD: I give, devise and bequeath all of the rest, residue and remainder of my estate and property, of whatever kind and wherever situated, owned by me at the time of my death to the trustee(s) of the JOSEPH J. CASCIO, SR. REVOCABLE TRUST AGREEMENT, to be added to the assets held in trust and administered by its terms, including any amendments made during my lifetime. If for any reason such distribution of the residue of my estate is ineffective, then I give such residue of my estate to the trustee(s) named in the JOSEPH J. CASCIO, SR. REVOCABLE TRUST AGREEMENT, to serve as trustee(s), to be held in a testamentary trust in accordance with the provisions of the JOSEPH J. CASCIO, SR. REVOCABLE TRUST AGREEMENT, including any amendments thereto made during my lifetime.

FOURTH: I authorize and empower my personal representative(s) to sell, transfer and convey any and all of the property of my estate, real and personal, and to execute, acknowledge and deliver good and sufficient transfers and conveyances thereof. My personal representative(s) shall act with bond. I designate KATHERINE A. CASCIO personal representative of this Last Will and Testament. If KATHERINE A. CASCIO is unable or unwilling to serve as personal representative, I designate DIANE CAROLL as personal




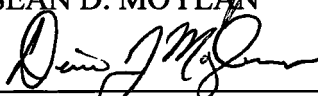
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representative, to serve with all rights and responsibilities given to the original personal representative(s).


IN WITNESS WHEREOF, I have hereunto set my hand and seal this 28th day of September, 2011.

WITNESSES:



SEAN D. MOYLAN


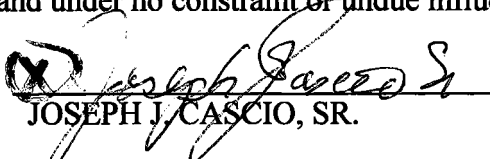
DEVIN J. MOYLAN



JOSEPH J. CASCIO, SR.


**THE STATE OF NEBRASKA
COUNTY OF SARPY**

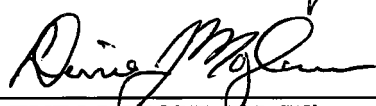
I, JOSEPH J. CASCIO, SR. the testator, sign my name to this instrument this 28th day of September, 2011 and being first duly sworn, sign and execute this instrument as my last will and I sign it willingly or willingly direct another to sign for me, that I execute it as my free and voluntary act for the purposes therein expressed and that I am eighteen years of age or older or am not at this time a minor, and am of sound mind and under no constraint or undue influence.



JOSEPH J. CASCIO, SR.

We, SEAN D. MOYLAN and DEVIN J. MOYLAN, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testator signs and executes this instrument as his last will and that he executes it as his free and voluntary act for the purposes therein expressed, and that each of us, in the presence and hearing of the testator, hereby signs this will as witness to the testator's signing, and that to the best of his knowledge the testator is eighteen years of age or older or is not at this time a minor, and is of sound mind and under no constraint or undue influence.



SEAN D. MOYLAN, Witness


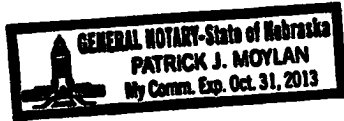
DEVIN J. MOYLAN, Witness

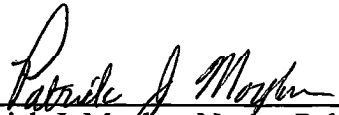
THE STATE OF NEBRASKA

COUNTY OF SARPY

Subscribed, sworn to and acknowledged before me by JOSEPH J. CASCIO, SR., the testator, and subscribed and sworn to before me by SEAN D. MOYLAN and DEVIN J. MOYLAN, witnesses, this 28th day of September, 2011

(seal)





Patrick J. Moylan, Notary Public
My Commission

FILED BY THE CLERK
SARPY COUNTY COURT

12 MAR 21 PM 12:01

STATE OF NEBRASKA

County of Sarpy } ss.

Case Number: PR12-68

CERTIFICATE OF INFORMAL PROBATE

I Jody K. Bousquet, the Registrar of the County Court of Sarpy County, Nebraska, do hereby certify that on the 20th day of March, A.D., 2012, the original, duly executed and apparently valid instrument purporting to be the Last Will and Testament of Joseph J. Cascio, Sr., was by application tendered to me for informal probate in this Court. That on the 20th day of March, A.D., 2012, I determined and declared said instrument to be valid Last Will and Testament of the said Deceased Joseph J. Cacsio, Sr., and accepted the application for informal probate thereof; and I informally Probated said instrument and have attached this certificate thereto. In witness whereof I have set my hand and the seal of said Court this 20th day of March, A.D., 2012.


Registrar

IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF)
JOSEPH J. CASCIO, SR., Deceased.)
)
)
)

No. PR 12-108

ACCEPTANCE OF APPOINTMENT

FILED BY THE CLERK
SARPY COUNTY COURT
19 MAR 20 PM 4:38

The undersigned hereby accepts appointment as Personal Representative of this estate, accepts the duties of said office, and submits personally to the jurisdiction of this Court in any proceeding relating to the estate that may be instituted by any interested person, as defined by the Nebraska Probate Code.

Dated: March 19, 2012.

Dianne Carroll

Dianne Carroll
15926 Yates Street
Omaha, NE 68116

Personal Representative

Sean D. Moylan

Sean D. Moylan (Bar I.D. # 22940)
Moylan Law, LLC
1010 South 120th St., Ste. 320
Omaha, NE 68154
Tel: (402) 390-2470
Fax: (402) 390-9180
E-mail: sean@moylanlaw.com

Attorney



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IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF)
JOSEPH J. CASCIO, SR., Deceased.)
)
)
)

No. *PR 12-68*
LETTERS OF PERSONAL
REPRESENTATIVE

FILED BY THE CLERK
SARPY COUNTY COURT
12 MAR 30 PM 3:44

THE STATE OF NEBRASKA
KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on March *30*, 2012, Dianne Carroll was appointed and qualified as Personal Representative of the above-named Decedent by this Court or its Registrar, with all the authority granted to a Personal Representative by law;

NOW, THEREFORE, these Letters are issued as evidence of such appointment and qualifications and authority of Dianne Carroll to do and perform all acts which may be authorized by law.

WITNESS, the signature of the Registrar of this Court, and the seal of this Court, on the nineteenth day of March *30, 2012*

(S E A L)

Jody Bouquet
Signature of Registrar



IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF)
 JOSEPH J. CASCIO, SR., Deceased.)
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No. *RR 12-68*
 SHORT FORM INVENTORY

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 SARPY COUNTY COURT
 12 MAR 30 AM 10:16

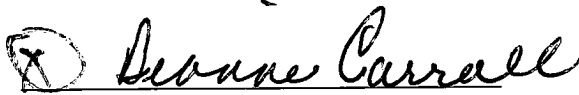
The undersigned Personal Representative hereby certifies that the following is a true and complete inventory of the property owned by the Decedent at the time of death together with the type and amount of any encumbrance existing with reference to any item. Where applicable the name and address of appraisers who have appraised items on the Inventory are listed.

Assets

<u>Item No.</u>	<u>ID</u>	<u>Description of Asset</u>	<u>FMV at Death</u>
1.	1	Waddell and Reed	\$60,000.00
2.	2	Cash	\$25,000.00
3.	3	Kathryn's car <i>Lincoln town car</i>	\$2,500.00
4.	5	Joe's Truck	\$6,000.00
Total Assets			\$93,500.00

Schedule K - Encumbrances

<u>Item No.</u>	<u>Encumbrance</u>	<u>Asset ID</u>	<u>Asset Description</u>	<u>Amount</u>
Total Encumbrances				\$0
Net Value of Probate Estate				\$93,500.00


 Dianne Carroll
 Personal Representative



IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF)
JOSEPH J. CASCIO, SR., Deceased.)
)
)
)
)

No. PR 12-68

PETITION FOR DETERMINATION OF
INHERITANCE TAX

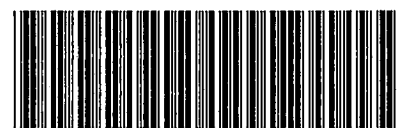
FILED BY THE CLERK
SARPY COUNTY COURT
2013 JAN - 8 PM 2:30

PETITIONER STATES:

1. Name of Decedent is Joseph J. Cascio, Sr. Decedent died testate. Date of death is January 17, 2012. Domicile at date of death was Bellevue, NE.
2. Petitioner, Dianne Carroll, is the child, heir, beneficiary, lineal descendant, personal representative and trustee of the Decedent and has a legal interest in the property involved in the Determination of Inheritance Tax herein.
3. Decedent did not during Decedent's lifetime convey any property in trust or otherwise in contemplation of death or intended to take effect in possession or enjoyment after death, and no person became entitled to any property by reason of the death of the Decedent except as alleged herein.
4. The Inheritance Tax Worksheet states the clear market value of all assets of the Decedent, the proper deductions and correct computation of the Nebraska Inheritance Tax, which should be determined and assessed as stated therein, and the Worksheet is incorporated by this reference.
5. Petitioner does hereby agree to pay the full inheritance tax.
6. The County Attorney of each county in which the property described in this Petition is located has executed a Waiver of Notice to show cause, or of the time and place of hearing, and has entered a Voluntary Appearance in such proceedings on behalf of the County and State of Nebraska.

WHEREFORE, Dianne Carroll, Petitioner prays that the Court dispense with giving of any further notice as provided by law and upon hearing, without delay, determine the clear market value of all assets of the Decedent and determine the amount of Nebraska Inheritance Tax, and order that any potential lien of the Nebraska Inheritance Tax be extinguished upon payment of the tax.


Dated: January 7, 2013.





Dianne Carroll
15926 Yates Street
Omaha, NE 68116

Petitioner



Sean D. Moylan (Bar I.D. # 22940)
Moylan Law, LLC
1010 South 120th St., Ste. 320
Omaha, NE 68154
Tel: (402) 390-2470
Fax: (402) 390-9180
E-mail: sean@moylanlaw.com

Attorney

STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

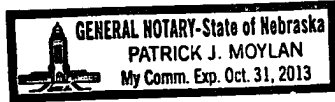
Dianne Carroll, being first duly sworn upon oath, deposes and says that, as Petitioner named in the above Petition, Petitioner has read the Petition, knows its contents, and that the facts stated in the Petition are accurate and complete to the best of Petitioner's knowledge and belief.




Dianne Carroll

Petitioner

The foregoing instrument was acknowledged before me this January 7, 2013 by Dianne Carroll





NOTARY PUBLIC

(SEAL)

IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF)
JOSEPH J. CASCIO, SR., Deceased.)
)
)
)

No. PR 12-68
SCHEDULE OF DISTRIBUTION

FILED BY THE CLERK
SARPY COUNTY COURT
13 JAN - 8 08 PM 2:48

The undersigned Personal Representative hereby certifies that the following is a true and complete schedule of property owned by the Decedent at the time of death that has been distributed as of the current date. All of the following property in Joseph J. Cascio, Sr.'s testate estate was distributed to Dianne Carroll, trustee of the JOSEPH J. CASCIO, SR. REVOCABLE TRUST AGREEMENT, dated October 19, 2000.

1.	1	Waddell and Reed	\$60,000.00
2.	2	Cash	\$25,000.00
3.	3	Kathryn's car <i>Lincoln town car</i>	\$2,500.00
4.	5	Joe's Truck	\$6,000.00

Total Assets **\$93,500.00**

GRAND TOTAL **\$93,500.00**



Dianne Carroll

Personal Representative



IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF)
 JOSEPH J. CASCIO, SR., Deceased.)
)
)
)

No. PR12-68
 ORDER DETERMINING AND
 ASSESSING INHERITANCE TAX

FILED BY THE CLERK
 SARPY COUNTY, NEBRASKA
 2013 JAN 22 PM 2:49

Upon consideration of the evidence and the Petition for Determination of Inheritance Tax and all supporting documents, if any, filed and incorporated by reference, the Court Finds, Orders, and Determines that:

1. Dianne Carroll has agreed to pay the full inheritance tax and, therefore, notice to interested parties is hereby dispensed with pursuant to Nebraska Revised Statutes Section 77-2018.02(5).
2. The County Attorney for each county in which the property described in the Petition is located has executed and filed with this Court a Waiver of Notice to show cause, or of time and place of hearing, and has entered a Voluntary Appearance on behalf of the County and State of Nebraska.
3. The values set forth in the Petition for Determination of Inheritance Tax and the Inheritance Tax Worksheet accurately reflect the total clear market value of the assets listed therein subject to Nebraska inheritance tax; and that all deductions, credits, allowances, exemptions, and contributions by survivors to jointly-owned property claimed therein, if any, are proper and are hereby allowed.

Inheritance tax is hereby assessed against the following-named parties in the amounts specified:

BENEFICIARY	AMOUNT OF TAX
Dianne Carroll	\$ 21,752.85
Joseph J Cascio, Jr.	\$ 21,752.85
Judy Cascio	\$ 23,042.85
Larry T Cascio	\$ 21,752.85
Terry T Cascio	\$ 21,752.85
Total	\$110,054.25

and that the tax is apportioned to the following counties:

COUNTY	AMOUNT OF TAX
Sarpy	\$ 110,054.25
Total	\$ 110,054.25



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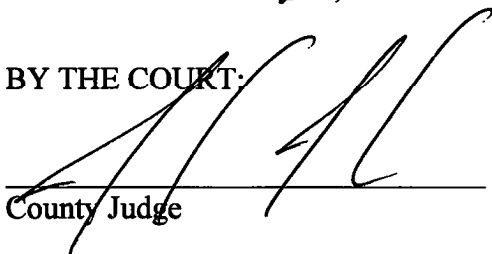
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and will draw interest at the legal rate prescribed by law commencing January 17, 2013, (twelve (12) months after date of death). The lien of Nebraska inheritance tax shall cease upon payment of the amount of tax as finally determined herein to be due with respect to property described in this proceeding.

4. Court costs are due herein in the amount of < 0.⁰⁰ >.

Dated: January ~~27~~²², 2013.

BY THE COURT:



County Judge

Date: 1/22/13

Copies Mailed To:

- Attorney *Moylan*
- Pers. Rep.
- Gdn./Cons.
- _____ **Treas.**
- Other: _____

MISCELLANEOUS PAYMENT RECPT#: 25760
SARPY COUNTY
1210 Golden Gate Drive
Papillion NE 68046

DATE: 01/08/13 TIME: 14:40
CLERK: kstorey DEPT: IN TAX
CUSTOMER#: 0

COMMENT:

CHG: INHTX INHERITANCE TAX 109532.41

REVENUE:
1 27003519 431001 109532.41
INHERITANCE TAXES
REF1: J.CASCIO REF2: PR12-68

CASH:
0000 110000 109532.41
CASH ON HAND

AMOUNT PAID: 109532.41

PAID BY: ESTATE OF JOSEPH J C
PAYMENT METH: CHECK 222

REFERENCE: TENTATIVE

AMT TENDERED: 109532.41
AMT APPLIED: 109532.41
CHANGE: .00



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FILED BY THE CLERK
SARPY COUNTY NE
2013 JAN 22 PM 2:50

MISCELLANEOUS PAYMENT RECPT#: 25850
SARPY COUNTY
1210 Golden Gate Drive
Papillion NE 68046

DATE: 01/17/13 TIME: 12:30
CLERK: mdavidson DEPT:
CUSTOMER#: 0

COMMENT:

CHG: INHTX INHERITANCE TAX 521.82

REVENUE:
1 27003519 431001 521.82
INHERITANCE TAXES
REF1: PR12-68 REF2: ADDL TAX
CASH:
0000 110000 521.82
CASH ON HAND

AMOUNT PAID: 521.82

PAID BY: CASCIO/JOSEPH J. SR.
PAYMENT METH: CHECK
2228

REFERENCE:

AMT TENDERED: 521.82
AMT APPLIED: 521.82
CHANGE: .00

2013 JAN 22 PM 2:50

FILED BY THE CLERK
SARPY COUNTY

MISCELLANEOUS PAYMENT RECPT#: 25915
SARPY COUNTY
1210 Golden Gate Drive
Papillion NE 68046

DATE: 01/24/13 TIME: 15:35
CLERK: jmooney DEPT: IN TAX
CUSTOMER#: 0

COMMENT:

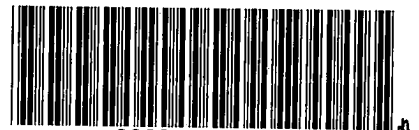
CHG: INHTX INHERITANCE TAX .02

REVENUE:
1 27003519 431001 .02
 INHERITANCE TAXES
 REF1: PR12-68 REF2: MR25850
CASH:
 0000 110000 .02
 CASH ON HAND

AMOUNT PAID: .02
PAID BY: ESTATE OF JOSEPH CAS
PAYMENT METH: CASH

REFERENCE:

AMT TENDERED: .02
AMT APPLIED: .02
CHANGE: .00



FILED BY

JAN 25 2013

Clerk of Sarpy County Court

IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF)
JOSEPH J. CASCIO, SR., Deceased.)
)
)
)

No. PR 12-68
INFORMAL CLOSING OF ESTATE BY
VERIFIED STATEMENT

FILED BY

JAN 25 2013

Clerk of Sarpy County Court

STATE OF NEBRASKA)
) SS:
COUNTY OF SARPY)

The undersigned Personal Representative states that no Court Order prohibits the filing of this verified statement, that this estate is not under supervised administration, that five (5) months have expired since the date of the undersigned's original appointment as Personal Representative, and that the undersigned has:

1. Published notice to creditors as provided by Nebraska Probate Code Section 30-2483, and that the first publication occurred more than four (4) months prior to the date of this Statement.
2. Fully administered the estate of the Decedent by making payment, settlement or other disposition of all claims which were presented, expenses of administration and estate, inheritance and other death taxes, except as specified in this Statement and that all assets have been distributed to the persons entitled as provided by Nebraska Probate Code Section 30-24,117.
3. Sent a copy of this Statement to all Distributees of the estate, as well as to all creditors or other claimants of whom the undersigned is aware and whose claims are neither paid nor barred and has furnished a full account in writing of the undersigned's administration to the Distributees whose interests are affected thereby and unless otherwise set forth therein, all Personal Representative or attorney fees were agreed upon by the parties and not fixed by the Court.

WHEREFORE, the undersigned believes the affairs of this estate are completed and is closing the estate by the filing of this verified statement. If no proceedings involving the undersigned are pending in this Court one (1) year after the filing of this verified statement, the undersigned's appointment as Personal Representative shall thereupon terminate.

Dianne Carroll, the undersigned, being first duly sworn upon oath, deposes and says that the undersigned is the duly qualified and appointed Personal Representative of the above estate, that the undersigned has read the same, knows the contents thereof, and to the best of the undersigned's knowledge and belief, the allegations therein contained are true and correct.



Dated: January 7, 2013.

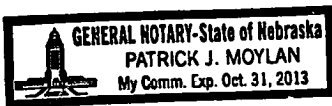
Dianne Carroll

Dianne Carroll

Personal Representative

STATE OF NEBRASKA)
) SS:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this
January 7, 2013 by Dianne Carroll



Patrick J. Moylan

NOTARY PUBLIC

(SEAL)