

Deed Record No. 93

Final Decree No. 19 # IN THE COUNTY COURT OF OTOE COUNTY, NEBRASKA
 William H. Stubbendeck, Dec'd. # IN THE MATTER OF THE ESTATE OF } FINAL DECREE
 to #
 Otto Stubbendeck et al. #
 Filed for record January 6, 1948 # WILLIAM H. STUBBENDECK, DECEASED }
 at 8:26 A.M., Nellie I. Uerkvitz, #
 Register of Deeds ^ Fee \$2.00 # Now on the 10th day of December, 1947, at 2:00 P.M.,
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 this matter came on for hearing, the same having been continued without objection from the

8th day of December, 1947, by agreement of all interested parties appearing, and the Court finds that due and legal notice of this hearing has been given as provided by law and ordered by the Court; thereupon said matter came on for hearing on the Petition for final settlement and the final report filed herein, and upon the Application filed by Walter Stubbendeck and Otto Stubbendeck, and the releases and assignments hereinafter more fully set out. Thereupon, the Court being fully advised in the premises finds as follows:

1. That the final account of Elmer Hallstrom, Administrator, herein is in all respects just, true and correct; that due notice to Creditors has been given as required by law, that all claims allowed against said estate have been fully paid and satisfied, and that said estate is solvent:
2. That the said Administrator in his official capacity has received the sum of \$12,147.08 up to the time of filing his final report and that he has expended the sum of \$983.06 as shown by said report, and that since the filing of said report said Administrator has expended the sum of \$25.96 in payment of personal taxes; that there remains the sum of \$11,138.06 to be accounted for by said Administrator; that there also remains personal property in said estate consisting of United States Government Bonds of the maturity value of \$875.00, one share of stock in the Farmer's Co-operative Oil Association of Elmwood, Nebraska, seven shares of stock in the Farmer's Co-operative Association, Unadilla, Nebraska, two trucks described in the inventory herein, and household goods.
3. That on final settlement of the estate there will be due to this Court as the balance of the Court costs the sum of \$38.00, and the sum of \$241.42 as Administrator fee and expenses to Elmer Hallstrom, Administrator of said estate, and the sum of \$351.42 to Smith & Lebens, Attorneys, for services rendered herein, that there will be due the sum of \$173.97 for Inheritance Tax, as determined in a separate order entered this date, and that after payment of such items the Administrator will have in his hands the sum of \$9333.25, in cash together with the items of personal property described above.
4. That the said William H. Stubbendeck died seized of the following described real estate, to-wit:

<u>Description of Real Estate</u>	<u>Acres</u>
East 60 acres of N ¹ / ₄ Section 8, Township 9, North, Range 10, East of 6th P.M.	60
Northwest Quarter, Section 1, Township 9, North, Range 10, East of the 6th P.M.	160
Southeast Quarter, Section 2, Township 9, North, Range 10, East of the 6th P.M.	160
East Half of the Northeast Quarter, Section 2, Township 9, Range 10, East of the 6th P.M.	80
All of said Real Estate is in Otoe County, Nebraska.	

5. That the said William H. Stubbendeck died intestate leaving as his sole heirs at law the following, to-wit: Otto Stubbendeck, son, Walter Stubbendeck, son, Jessie K. Heppner, daughter, Agnes Goering, daughter, Pauline Colbert, daughter, and Evelyn I. Hansen, daughter, all of legal age.
6. That prior to the death of the said William H. Stubbendeck, and on February 27, 1946, the said Pauline Colbert, for a good and valuable consideration released all her interest in and to all property, both real and personal, owned by the said William H. Stubbendeck at the time of his death and that said release has been filed herein, and that by

virtue thereof the said Pauline Colbert is not entitled to any distributive share in said estate.

7. That prior to the death of the said William H. Stubbendeck, and on May 24, 1945, the said Evelyn I. Hansen, for a good and valuable consideration, released all her interest in and to all property, both real and personal, owned by the said William H. Stubbendeck at the time of his death, that said release has been filed herein and that by virtue thereof the said Evelyn I. Hansen is not entitled to any distributive share in said estate.

8. That subsequent to the death of the said William H. Stubbendeck, and on February 13, 1947, the said Jessie K. Heppner executed an assignment of all her interest in the personal property owned by William H. Stubbendeck to Walter Stubbendeck and Otto Stubbendeck, and that on or about March 4, 1947, the said Agnes Goering executed an assignment of all her interest in such personal property to Walter Stubbendeck and Otto Stubbendeck, and that such assignments have been filed herein.

9. That by virtue of the assignments and releases above described all personal property in said estate should be paid and delivered to Otto Stubbendeck and Walter Stubbendeck, share and share alike and none of the other heirs of the said William H. Stubbendeck are entitled to share in the distribution thereof.

10. That the claim of Walter Stubbendeck and Otto Stubbendeck in the sum of \$1000.00 as assignees of a promissory note for such sum should be allowed, and that such claim should be taken into account in determining taxes and in determining the amount received by them from said estate, they also being the sole distributees herein.

IT IS THEREFORE CONSIDERED, ADJUDGED AND DECREED by the Court that the final report of the said Elmer Hallstrom, Administrator of the estate of William H. Stubbendeck be and the same is hereby confirmed, approved and allowed; that the Administrator be given credit for \$25.96 expended since the filing of said report for personal property taxes; that the balance of the Court costs herein in the sum of \$38.00 be paid by said Administrator; that the sum of \$241.42 be paid to Elmer Hallstrom as his fee for services rendered as Administrator herein, that the sum of \$851.42 be paid to Smith & Lebens as Attorney fee for services rendered herein; that the Administrator pay to the County Treasurer of Otoe County the sum of \$173.97 as the Inheritance Tax due on said estate; that after payment of said amounts there will remain for distribution the sum of \$9833.25 in cash, together with U. S. Government Bonds in the maturity value of \$875.00; One share of stock in the Farmer's Co-operative Oil Association, Elmwood, Nebraska; Seven shares of stock in the Farmer's Union Co-operative Association, Unadilla, Nebraska, two trucks as described in the inventory herein, and household goods.

IT IS HEREBY FURTHER DECREED that all claims not heretofore filed herein be and they are forever barred.

IT IS HEREBY FURTHER DECREED that at the time of his death the said William H. Stubbendeck left as his sole and only heirs, and the only persons who might be entitled by law to inherit any portion of his estate the following, to-wit: Walter Stubbendeck, son; Otto Stubbendeck, son; Jessie K. Heppner, daughter; Agnes Goering, daughter; Pauline Colbert, daughter; and Evelyn I. Hansen, daughter; all of legal age; that the said Pauline Colbert and Evelyn I. Hansen, by valid releases filed herein, given for a valuable consideration prior to the death of the said William H. Stubbendeck, have released all their right, title and interest in said estate, and are not entitled to share in the distribution thereof; that the said Agnes Goering and Jessie K. Heppner have assigned all their interest in the personal property in said Estate to Walter Stubbendeck and Otto Stubbendeck, and that by virtue of such assignments, which are filed herein, the said Jessie K. Heppner and Agnes Goering are not entitled to share in the distribution of personal property; that the Administrator herein be

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and he is hereby ordered to deliver all personal property in said estate to Walter Stubbendeck and Otto Stubbendeck.

IT IS HEREBY FURTHER DECREED that the said William H. Stubbendeck died seized and possessed of the following described real estate, to-wit: East (E) Sixty (60) Acres of Northwest Quarter (NW $\frac{1}{4}$) of Section Eight (8), Township Nine (9), North, Range Ten (10), East of the 6th P.M.; Northwest Quarter (NW $\frac{1}{4}$) of Section One (1), Township Nine (9), North, Range Ten (10), East of the 6th P.M.; The Southeast Quarter (SE $\frac{1}{4}$) of Section Two (2), Township Nine (9), North, Range Ten (10), East of the 6th P.M.; the East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Two (2), Township Nine (9), Range Ten (10), East of the 6th P.M., all of said real estate in Otoe County, Nebraska, and that the same passes to the heirs of said William H. Stubbendeck, except as released or otherwise alienated, as provided by the Statutes of the State of Nebraska.

IT IS HEREBY FURTHER DECREED that upon filing of receipts for the personal property herein ordered paid and delivered, and for costs and expenses herein found due, that the said Elmer Hallstrom, Administrator, be discharged from his trust as Administrator of said estate and the surety on his official bond be released and exonerated from all liability in the premises.

BY THE COURT

(SEAL.)

D. P. WEST,
COUNTY JUDGE

Endorsed:- County Court, Otoe County, Nebr.
Filed Jan. 5, 1948,
D. P. West, County Judge.

The State of Nebraska, }
County of Otoe, } ss.

IN COUNTY COURT

TO ALL WHOM IT MAY CONCERN, GREETING:-

I, D. P. West, County Judge and Ex-Officio Clerk of the County Court, within and for said County, and having charge of the records, files and seal thereof, it being a Court of Record, do hereby certify that the within and foregoing is a true and compared copy of the Final Decree, In the Matter of the Estate of William Stubbendeck, Deceased, No. A-5823, as the same appears from the original thereof remaining on file in this court.

In witness whereof, I have hereunto set my hand and affixed the seal of the said County Court at my office in Nebraska City, in said County and State, this 5 day of January, 1948.

D. P. WEST,
COUNTY JUDGE

By Ray L. Millar.
CLERK

