

IN THE COUNTY COURT OF WASHINGTON COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF	Case No. PR 19 - <u>44</u>
LAVONNE L. ROLLAND, Deceased.	PETITION FOR FORMAL PROBATE OF WILL, DETERMINATION OF HEIRS, AND APPOINTMENT OF PERSONAL REPRESENTATIVE

PETITIONER STATES:

1. Petitioner, Kevin E. Rolland, as son of Decedent, is an interested person as defined by the Nebraska Probate Code Section 30-2209(21).
2. Name of Decedent: LaVonne L. Rolland.
Date of death was June 1, 2019.
Age at date of death was 93.
Domicile at date of death was Blair, Washington County, Nebraska.
3. Venue for this proceeding is proper in this county because 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. Petitioner has not received a Demand for Notice and is unaware of any demand for notice of any probate or appointment proceeding concerning Decedent that may have been filed in this state or elsewhere.
6. The Decedent's Will, dated February 12, 2015, accompanies this Petition and is hereby filed with this Court and offered for probate.
7. The Petitioner, to the best of his knowledge, believes the Will, dated February 12, 2015, to have been validly executed, and after the exercise of reasonable diligence, the Petitioner is unaware of any instrument revoking the Will and believes that said Will constitutes Decedent's last Will.
8. As per the Decedent's Will, Petitioner nominates Nicholas J. Lamme as Personal Representative, whose status of priority is having been nominated by Decedent in Decedent's Will. The nominated Personal Representative is neither indebted to the estate nor a creditor of the estate.
9. No bond is required.
10. The names, relationship and addresses of Decedent's spouse, children (all of whom are children of any surviving spouse unless otherwise stated), heirs, devisees and other interested parties and

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ages of those who are minors, and those who are incompetent so far as known or ascertainable by reasonable diligence by Applicant, are:

<u>Name</u>	<u>Relationship</u>	<u>Mailing Address</u>
Kevin E. Rolland	Son	18878 State Highway 91 Blair NE 68008
Kathleen N. Rolland	Daughter	9912 O Street Omaha NE 68127
Kay Beth Leehy	Daughter	11048 Rolland Lane Blair NE 68008

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

WHEREFORE, Petitioner requests that the Court fix a time and place of hearing; that notice be given to all interested persons as provided by law; that after notice and hearing the Court order that said Will be admitted to Formal Probate; that the above nominee be formally appointed Personal Representative without bond; that the heirs of Decedent be determined; that the administration of the estate be unsupervised; and that letters of appointment be issued to said Personal Representative.

Dated the 14th day of June 2019.

Kevin E. Rolland
Kevin E. Rolland

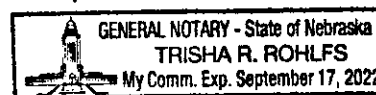
State of Nebraska)
County of Dodge) ss.

Kevin E. Rolland, being first duly sworn on oath, deposes and says that he is the Applicant named in the foregoing Application, that he has read it, knows the contents therein, and that the facts therein contained are accurate and complete to the best of Applicant's knowledge and belief.

Kevin E. Rolland
Kevin E. Rolland

SUBSCRIBED and sworn to before me on the 14th day of June 2019

Trisha R. Rohlfs
Notary Public



Nicholas J. Lamme, #12368
Yost, Schafersman, Lamme, Hillis,
Mitchell, Schulz & Hartmann, P.C.
Attorney for Applicant
81 West 5th Street
Fremont, Nebraska 68025
(402) 721-6160
nlamme@yostlawfirm.com

WILL

I, LAVONNE L. ROLLAND, a resident and inhabitant of Washington County, Nebraska,
hereby revoke all my former Wills and Codicils, and declare this to be my Last Will.

ARTICLE I

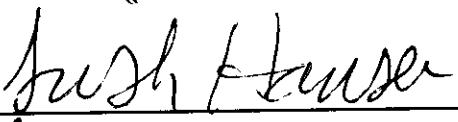
Personal Representative, Powers, Requirements


A. Nomination: I hereby nominate and appoint my NICHOLAS J. LAMME, Personal Representative of this my Will and of my estate. If for any reason said nominee cannot or is not desirous of accepting said appointment, I hereby appoint DENNIS CARLSON.

B. Powers: I hereby give to my Personal Representative all of the powers of the Nebraska Probate Code. I hereby empower and authorize my said Personal Representative to sell and by deed convey any real estate of which I die seized, without order of any Court, and for such purpose or purposes as the Personal Representative deems advisable.

C. No Bond or Surety Required: I request that my Personal Representative or any Personal Representative hereunder not be required to give any bond, and that if, notwithstanding this request, any bond is required, no sureties be required thereon, and that said bond be nominal in its amount.

D. Debts, Administration Expenses and Taxes: I direct my Personal Representative to pay my debts legally owing at the time of my death and the costs of administering my estate. I further direct that any Federal estate tax or State inheritance tax be added as an expense of administering my estate and be paid by my Personal Representative from my estate.



Witness


Witness



LAVONNE L. ROLLAND



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Nicholas J. Lamme
YOST, SCHAFERSMAN, LAMME, HILLIS, MITCHELL, SCHULZ & HARTMANN, P.C.
A Limited Liability Organization
81 West 5th Street, Fremont, NE 68025
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ARTICLE II

List of Personal Property

I may prepare a list of personal property pursuant to Section 30-2338 of the Nebraska Statutes specifying the persons to whom I wish to give and bequeath items of personal property upon my death. I hereby direct my Personal Representative to observe the directions contained in said list and to see to it that the individual legatees receive the personal property as listed. I reserve the right to change and modify my list at any time.

ARTICLE III

Specific Bequests

I hereby give, bequeath and devise my estate as follows:


A. Any and all interest which I may have in my residential home located on the following described real estate, including the easement which I have granted to my son KEVIN in paragraph C of this Article, to witt:

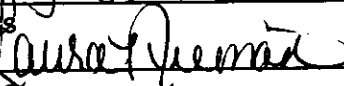
Lot 1, Rolland Subdivision, lying in the South half Southwest Quarter of Section 11, Township 18 North, Range 10 East of The 6th P.M., Washington County, Nebraska, containing 2.0 acres, more or less:

to my son KEVIN E. ROLLAND.

In making this bequest and devise, I am excluding the personal property and contents of my residential home which I have bequeathed under either Article II or Article IV of the this Will.

B. Any and all interest which I may have in the following described real estate, and improvements located thereon, to wit:



Witness


Witness



LAVONNE L. ROLLAND

Lot 2, Rolland Subdivision, lying in the South Half Southwest Quarter of Section 11, Township 18 North, Range 10 East of the 6th P.M., Washington County, Nebraska, containing 6.21 acres, more or less;

to my son KEVIN E. ROLLAND.

C. Any and all interest which I may have in the following described real estate, to wit:

Lot 5, Rolland Subdivision, a Replat of Lot 3, Rolland Subdivision lying in the Southwest Quarter of Section 11, Township 18 North Range 10 East of the 6th P.M., Washington County, Nebraska, containing 42.27 acres, more or less;

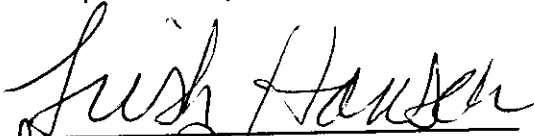
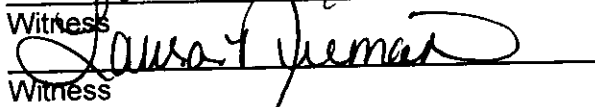
to my son KEVIN E. ROLLAND. I further hereby grant and extend to my son, KEVIN E. ROLLAND an ingress and egress easement to that small portion of my yard or Lot 1 or the road ditch for ingress and egress to Lot 5 as is granted in part A of this Article.

D. Any and all interest which I may have in the following described real state, to wit:

Tax Lots 45 and 46, Section 11, Township 18 North, Range 10 East of the 6th P.M., Washington County, Nebraska, containing 1.57 acres, more or less;

consisting of one (1) acre south of the farmland in the southeast part of the farm, and consisting of .57 acres of Lot 1 on which my residential sits, I give and devise to my son, KEVIN E. ROLLAND, including an ingress and egress easement over and across the .57 acres which I hereby grant to my son. KEVIN E. ROLLAND, to allow him, his successors and assigns, access to the 42.27 acres devised to him in Article III C herein.

E. Any and all shares of stock which I own in ROLLAND FARM SUPPLIES, INC. I give and bequeath to my son, KEVIN E. ROLLAND.


Witness

Witness


LAVONNE L. ROLLAND

F. I hereby forgive any and all indebtedness that ROLLAND FARM SUPPLIES, INC. owes me at the time of my death.

ARTICLE IV

Rest and Residue of Estate

I hereby give and bequeath the rest and remainder of my estate not previously disposed of herein, above, as follows:

A. To my three children, KATHLEEN N. HUHNERKOPF, KAY BETH LEEHY, and my son, KEVIN E. ROLLAND equally share and share alike.

B. In the event either of my daughters, KATHLEEN N. HUHNERKOPF or KAY BETH LEEHY or my son, KEVIN E. ROLLAND should predecease me then, then said deceased child's share shall descend to his or her children (my grandchildren), they to take the share of their parent collectively, that is by right of representation, per stirpes, and not per capita. In the event KATHLEEN, KAY BETH or KEVIN should predeceased me leaving no living issue, then said share shall lapse and go to my surviving two (2) children.

C. In making the bequests and devises which I have made in this Will, I affirmatively state that I am not unmindful of my son KENNETH A. ROLLAND'S three (3) children, (my grandchildren) who have, in my opinion, otherwise been adequately provided for.

ARTICLE V

Testimony of Attorneys

I specifically waive any attorney/client privilege and expressly consent that any attorney or attorneys consulted by me regarding the drafting of the terms of this instrument may testify as to any communication which I had with said attorney concerning my affairs and as to my mental capacity at such times, and as to any and all observations, facts or circumstances connected therewith. I hereby waive any and all rights and objections which might be asserted against

Witness

Witness

LAVONNE L. ROLLAND

THIS WILL having been signed by me this 12th day of February, 2015, in Fremont, Nebraska, each page also having been signed by me.

STATE OF NEBRASKA)) ss.
COUNTY OF DODGE)

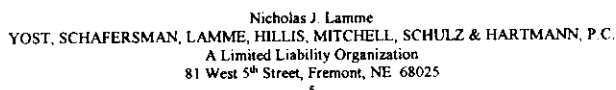
Lavonne Rolland
LAVONNE L. ROLLAND, Testatrix

Witness Rish Hansen

Witness Shirley Heman

SUBSCRIBED, sworn to and acknowledged before me by LAVONNE L. ROLLAND, the testatrix and subscribed, sworn to and acknowledged before me by the witnesses, Joshua H. Hume and Laura Niemeyer, this 12th day of February, 2015.

Notary Public



IN THE COUNTY COURT OF WASHINGTON COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF

Case No. PR 19 - 44

LAVONNE L. ROLLAND,
Deceased.

ACCEPTANCE OF APPOINTMENT

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

Dated the 13th day of June 2019.


Nicholas J. Lamme

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CLERK MAGISTRATE

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IN THE COUNTY COURT OF WASHINGTON COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF

Case No. PR 19 - 44

LAVONNE L. ROLLAND,
Deceased.

LETTERS OF SPECIAL ADMINISTRATOR

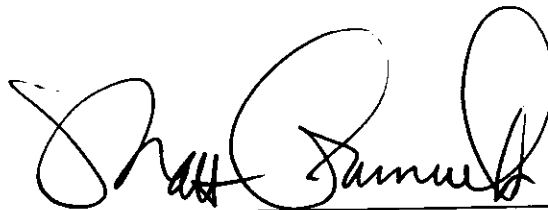
THE STATE OF NEBRASKA:

KNOW ALL MEN BY THESE PRESENTS:

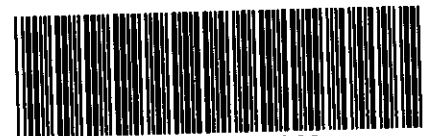
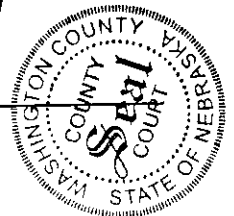
WHEREAS, on June 19th, 2019, Nicholas J. Lamme was appointed in a formal proceeding and qualified as Special Administrator of the Will of the above-named Decedent by this Court or its Registrar, with all the authority granted by law;

NOW, THEREFORE, these Letters are issued as evidence of such appointment and qualification and authority of Nicholas J. Lamme to do and perform all acts which may be required by law.

Dated the 19th day of June 2019.



County Judge



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CLERK MAGISTRATE

Select Language▼

All State Agencies | All State Services |

Nebraska Judicial Branch

Case Summary

In the County Court of Washington County
 The Case ID is PR 19 0000044
 Lavonne L Rolland, Deceased
 The Honorable C. Matthew Samuelson, presiding.
 Classification: Formal Testate
 Filed on 06/14/2019
 This case is Open as of 06/14/2019

Parties/Attorneys to the Case

Party	Attorney
Deceased ACTIVE Lavonne L Rolland Special Administrator ACTIVE Nicholas Lamme	John A Svoboda 1500 Omaha Tower 2120 South 72nd Street, #1500 Omaha NE 68124 402-392-1500
Petitioner ACTIVE Kevin E Rolland 18878 State Hwy 91 Blair NE 68008	Nicholas J Lamme & Mitchell 81 West 5th Street Fremont NE 68025 402-721-6160
Objector ACTIVE Kay Leehy 11048 Rolland Lane Blair NE 68008	Lawrence K Sheehan 9290 W Dodge Road Suite 303 Omaha NE 68114 402-390-0390
Objector ACTIVE Kathleen Rolland 9912 O St. Omaha NE 68127	Lawrence K Sheehan 9290 W Dodge Road Suite 303 Omaha NE 68114 402-390-0390

Case Schedule Information

Hearing is scheduled
 for 12/16/2019 at 11:00 AM in room Washington County Crt. Ctrm.
 Frml Appt/Estate/Objection to Frml

Court Costs Information

Incurred By	Account	Date	Amount
Petitioner	Filing Fees	06/14/2019	\$22.00
Petitioner	NSC Education Fee	06/14/2019	\$1.00

Incurred By	Account	Date	Amount
Petitioner	Dispute Resolution Fee	06/14/2019	\$0.75
Petitioner	Indigent Defense Fee	06/14/2019	\$3.00
Petitioner	Uniform Data Analysis Fee	06/14/2019	\$1.00
Petitioner	J.R.F.	06/14/2019	\$2.00
Petitioner	Legal Aid/Services Fund	06/14/2019	\$6.25
Petitioner	Seal Affixed	06/14/2019	\$1.00
Petitioner	Automation Fee	06/14/2019	\$8.00

Financial Activity

No trust money is held by the court
No fee money is held by the court

Payments Made to the Court

Receipt	Type	Date	For	Amount
132191	Check	06/17/2019	Rolland, Kevin, E	\$45.00
			Filing Fees	\$22.00
			NSC Education Fee	\$1.00
			Dispute Resolution Fee	\$0.75
			Indigent Defense Fee	\$3.00
			Uniform Data Analysis	\$1.00
			J.R.F.	\$2.00
			Legal Aid/Services Fun	\$6.25
			Seal Affixed	\$1.00
			Automation Fee	\$8.00

Register of Actions

10/24/2019 Order-Hearing Issued
The document number is 00125952
Document Number 125952
Image ID D00125952C29

10/24/2019 Order-Continuance
This action initiated by C. Matthew Samuelson
HRG continued from 11/04/2019

09/18/2019 Order-Continuance
This action initiated by Clerk Magistrate
HRG continued from 09/16/2019

Image ID D00124779C29

09/16/2019 Motion-Continuance
This action initiated by party Kay Leehy
Image ID N19259F5UC29

07/19/2019 Response
This action initiated by party Nicholas Lamme
Special Adminstrator's Response to Objection
Image ID N19200X1MC29

07/16/2019 Appearance of Counsel
This action initiated by party Nicholas Lamme
Image ID N191976Z4C29

07/15/2019 Order-Hearing Issued
The document number is 00122656
Document Number 122656
Image ID D00122656C29

07/15/2019 Order-Continuance
This action initiated by C. Matthew Samuelson
HRG continued from 07/15/2019

07/11/2019 Aff-Publication
This action initiated by party Kevin E Rolland
Image ID 000147050C29

07/09/2019 Object Pet Frml Probate/Det Heir/Ap
This action initiated by party Kay Leehy
Image ID N19190AAIC29

06/28/2019 Aff-Mailing Notice
This action initiated by party Lavonne L Rolland
Image ID N1917928UC29

06/19/2019 Order-Appt Spec Admin/Frml Proc
eNotice Certificate Attached
Image ID 000146103C29

06/19/2019 Letters of Special Administrator
Image ID 000146106C29

06/19/2019 Notice
Image ID 000146109C29

06/15/2019 Order-Set Date for Hrg/Notice

eNotice Certificate Attached
Image ID 000146112C29

06/14/2019 Accept Appt-Estate
Image ID 000147473C29

06/14/2019 Pet-Appt Spec Admin/Frml Proceeding
This action initiated by party Kevin E Rolland
Image ID 000147470C29

06/14/2019 Check Demand Index

06/14/2019 will
Image ID 000147471C29

06/14/2019 Change to Formal J.R.F. Amount

06/14/2019 Change to Formal Fees

06/14/2019 Pet-Frm1 Probate/Det Heirs/Appt PR
This action initiated by party Kevin E Rolland
Image ID 000147474C29