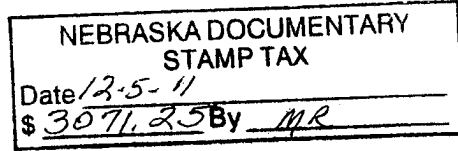


Filed in the Office of the Thayer County Clerk on December 5, 2011 at 1:15pm in Deed Book 90 Page(s)218.

Fee: 3077.25pd
Rec _____ Index _____
Return: GMJ

Marie E. Rauner
Marie E. Rauner, Thayer County Clerk



Please return filed document to:
LANCE J. JOHNSON, ATTORNEY
GERMER, MURRAY & JOHNSON
P O BOX 210
BRUNING NE 68322

WARRANTY DEED

DAVID E. CORDING, TRUSTEE OF THE ELOISE TALBOT PHELPS TRUST, GRANTOR,
in consideration of One Dollar (\$1.00) and other good and valuable consideration, received from GRANTEE,

**COREY BILL HUDSON AND GINA M. HUDSON, HUSBAND AND WIFE,
AS JOINT TENANTS AND NOT AS TENANTS IN COMMON,**

conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

**The Southeast One-Quarter (SE¹/₄) of Section Twenty-Three (23),
Township Three (3) North, Range Two (2) West of the 6th P.M., in
Thayer County, Nebraska, subject to easements and restrictions of
record; and,**

**The Northwest One-Quarter (NW¹/₄) of Section Twenty-Four (24),
Township Three (3) North, Range Two (2) West of the 6th P.M., in
Thayer County, Nebraska, subject to easements and restrictions of
record.**

GRANTOR covenants with the GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed this 21st day of November, 2011.

**ELOISE TALBOT PHELPS TRUST,
GRANTOR:**

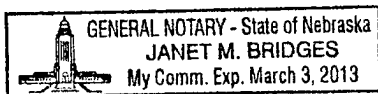
By: *David E. Cording*

DAVID E. CORDING, TRUSTEE

STATE OF NEBRASKA)
) ss.
COUNTY OF THAYER)

The foregoing instrument was acknowledged before me on this 21st day of November, 2011, by DAVID E. CORDING, TRUSTEE OF THE ELOISE TALBOT PHELPS TRUST, as his voluntary act and deed as Trustee on behalf of said Trust.

(SEAL)



Janet M. Bridges

NOTARY PUBLIC

Sixteen (16) Original Town of Hebron, Thayer County, Nebraska,

Item VI The North Twenty Four (24) Feet of Lot Twelve (12) in Block Nine (9) Original Town of Hebron, in Thayer County, Nebraska,

The names of the persons acquiring an interest in such real estate is reflected by said Order for Complete Settlement and the interest acquired by each are as follows:

- Item I Life Estate in Delma L. McKenzie with remainder interest to Treasa M. Reinboth, daughter, Diane M. Currey, daughter, Kirk McKenzie, son and Douglas McKenzie, son,
- Item II Life estate in Delma L. McKenzie with remainder interest to Treasa M. Reinboth, daughter, Diane M. Currey, daughter, Kirk McKenzie, son and Douglas McKenzie, son,
- Item III Life Estate in Delma L. McKenzie with remainder interest to Treasa M. Reinboth, daughter, Diane M. Currey, daughter, Kirk McKenzie, son and Douglas McKenzie, son.
- Item IV Life Estate in Delma L. McKenzie with remainder interest to Treasa M. Reinboth, daughter, Diane M. Currey, daughter, Kirk McKenzie, son and Douglas McKenzie, son,
- Item V Life Estate in Delma L. McKenzie with remainder interest to Treasa M. Reinboth, daughter, Diane M. Currey, daughter, Kirk McKenzie, son and Douglas McKenzie, son.
- Item VI Life Estate in Delma L. McKenzie with remainder interest to Treasa M. Reinboth, daughter, Diane M. Currey, daughter, Kirk McKenzie, son and Douglas McKenzie, son.

(SEAL OF THE COUNTY COURT)
(NEBRASKA)
(THAYER COUNTY)

/s/ Robert L Stutz
Associate County Judge

Blue Border
100% LINEN LEDGER

Ernest H. Meyer
TO
The Public

State of Nebraska) ss.
Thayer County)
Entered on Numerical Index and filed for record in the Clerk's office of said County this 31 day of October 1979 at 3 o'clock and 15 minutes PM and recorded in Book A-4 of Misc. on page 342
Lefa M. Sulz County Clerk
By /s/ Louise McLaughlin Deputy

AFFIDAVIT OF POSSESSION

STATE OF NEBRASKA)
) SS.
COUNTY OF THAYER)

Ernest H. Meyer, being first duly sworn, on oath deposes and says that he is President of Hubbell Farmers Elevator Company a/k/a The Hubbell Farmers Elevator Company, A Corporation, and that said Hubbell Farmers Elevator Company a/k/a The Hubbell Farmers Elevator Company, A Corporation, is the title owner of record of the following described premises, to-wit:

Lot Seven (7) in Block Seven (7), and Lots One and Two (1 & 2) and the East Half (E½) of Lots Four, Five and Six (4, 5 & 6) in Block Eight (8), all in the Original Town of Hubbell in Thayer County, Nebraska,

and is now in possession thereof.

/s/ Ernest H. Meyer

Subscribed in my presence and sworn to before me this 31 day of October, 1979.

/s/ Jack D. Long
Notary Public

(JACK D. LONG)
(General Notary-State of Nebr.)

(S E A L)

Robert L. Stutz, Associate Judge
to
Estate of Eloise Talbot Phelps

State of Nebraska) ss.
Thayer County)
Entered on Numerical Index and filed for record in the Clerk's office of said County this 8 day of November 1979 at 2 o'clock and 45 minutes PM and recorded in Book A-4 of Misc. on page 342.
Lefa M. Sulz County Clerk
By S/ Louise McLaughlin Deputy

CERTIFICATE OF COUNTY COURT PROCEEDING INVOLVING REAL ESTATE
UPON ENTRANCE OF DECREE FOR ALLOWANCE OF FINAL ACCOUNT

IN THE COUNTY COURT OF THAYER COUNTY, NEBRASKA:

This is certify that a Decree for Allowance of Final Account, Finding of Heirs, Assignment of Real Estate and Personal Property and Discharge of Executor has been entered in said Court in the proceeding entitled: In the Matter

of the Estate of Eloise Talbot Phelps, Deceased, No. 7697, Doc. 11, Page 89, which Decree for Allowance of Final Account reflects the passage of title by statute of will to the following described real estate:

- Tract I The Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty Three (23) in Township Three (3) North, Range Two (2) West of the 6th P.M. in Thayer County, Nebraska, containing 160 acres,
- Tract II The Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty Four (24) in Township Three (3) North, Range Two (2) West of the 6th P.M. in Thayer County, Nebraska, containing 160 acres,

The names of the persons acquiring an interest in such real estate is reflected by said Decree for Allowance of Final Account and the interest acquired by each are as follows:

- Tract I H.R. Killinger, as Trustee and to his successors according to the terms of the Last Will and Testament of Eloise Talbot Phelps, deceased
- Tract II H. R. Killinger, as Trustee and to his successors according to the terms of the Last Will and Testament of Eloise Talbot Phelps, deceased.

(Seal of the County Court)
(Thayer County Nebraska)

S/ Robert L. Stutz
Associate County Judge

Robert L Stutz, Associate County Judge
To:
Estate of Carl J. Mooberry

State of Nebraska)
Thayer County) ss.
Entered on Numerical Index and filed for record in the Clerk's office of said County this 8 day of November 1979 at 3 o'clock and 10 minutes PM and recorded in Book A-4 of Misc. on page 343
Lefa M. Sulz, County Clerk
By S/ Louise McLaughlin Deputy

CERTIFICATE OF COUNTY COURT PROCEEDING INVOLVING REAL ESTATE

IN THE COUNTY COURT OF THAYER COUNTY, NEBRASKA:
This is to certify that there is pending in the County Court of Thayer County, Nebraska, a proceeding entitled In The Matter of the Estate of Carl J. Mooberry, deceased, Estate No. 8598 Doc. 12 Page 344, which is a proceeding involving determination of inheritance tax in which proceeding the following described real estate is involved:

Lot Fifteen (15) in Block One (1) Better Homes Addition to Hebron, in Thayer County, Nebraska.

(Seal of the County Court)
(Thayer County Nebraska)

S/ Robert L Stutz
Associate County Judge

Robert L Stutz, Associate County Judge
To:
Estate of Alfred Ray Campbell

State of Nebraska)
Thayer County) ss.
Entered on Numerical Index and filed for record in the Clerk's office of said County this 8 day of November 1979 at 3 o'clock and 10 minutes PM and recorded in Book A-4 of Misc. on page 343
Lefa M. Sulz, County Clerk
By S/ Louise McLaughlin Deputy

CERTIFICATE OF COUNTY COURT PROCEEDING INVOLVING REAL ESTATE

IN THE COUNTY COURT OF THAYER COUNTY, NEBRASKA:
This is to certify that there is pending in the County Court of Thayer County, Nebraska, a proceeding entitled In The Matter of the Estate of Alfred Ray Campbell, also known as Alfred R. Campbell, deceased, No. 8597 Doc. 12 Page 343, which is a proceeding involving determination of inheritance tax in which proceeding the following described real estate is involved:

The East 50 Feet of the West 111 Feet of Lots Nineteen and Twenty (19 & 20) and the East 50 feet of the West 111 Feet of the NorthHalf of Lot Eighteen (18) all in Block Two (2) Huse's Addition to Hebron, in Thayer County, Nebraska

(Seal of the County Court)
(Thayer County Nebraska)

S/ Robert L Stutz
Associate County Judge

Clarence C. Kunc, County Judge
TO
Estate of Henry A. Bruntz

State of Nebraska)
Thayer County) ss.
Entered on Numerical Index and filed for record in the Clerk's office of said County this 14 day of November 1979 at 11 o'clock and 15 minutes AM and recorded in Book A-4 of Misc. on page 343
Lefa M. Sulz, County Clerk
By S/ Louise McLaughlin, Deputy

CERTIFICATE OF COUNTY COURT PROCEEDING INVOLVING REAL ESTATE

In the County Court of Thayer County, Nebraska.
This is to certify that there is pending in the County Court of Thayer County, Nebraska, a proceeding entitled In the Matter of the Estate of Henry A. Bruntz, Deceased, No 8594, Doc. 12, Page 340, which is a proceeding involving the probate of the intestate estate of Henry A. Bruntz, Deceased, in which proceeding the following described real estate is involved:

Irregular Tracts 14, 17, and 18 in the Southeast One-Quarter of the Southwest One-Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Five (5), Township Four (4) North, Range Two (2) West of the 6th P.M. in Thayer County, Nebraska.

(Seal of the County Court)
(Thayer County Nebraska)

s/ Clarence C. Kunc
County Judge/RM 2XXXXX

Blue Border
100% LINEN LEDGER

EUGENE
TALMAGE
PHELPS ^{1/11/11}
EUGENE T.
PHELPS

DECEASED
ESTATE 6434
FEE BOOK 9
PAGE No. 110
W.C. WEISS
ATTORNEY

LAST WILL AND TESTAMENT OF

EUGENE TALMAGE PHELPS

I, EUGENE TALMAGE PHELPS, residing at 7235 South Constance Avenue, in the City of Chicago, County of Cook, and State of Illinois, which I hereby declare to be my legal domicile, being of sound mind and disposing memory, do hereby revoke all former Wills and Codicils by me made, and DO MAKE, PUBLISH, AND DECLARE THIS TO BE MY LAST WILL AND TESTAMENT.

FIRST: I direct that all my just debts, funeral expenses and costs of administration be paid as soon after my death as practicable.

SECOND: Subject only to the provisions of the first paragraph hereof, I give, devise and bequeath all of my property, both real and personal, and wheresoever situated, which I might have at the time of my death and to which I may be entitled, to my beloved wife, ELOISE TALBOT PHELPS, absolutely, for her own use and benefit.

THIRD: In the event I should die simultaneously with my beloved wife, or in the event my wife should predecease me, then I direct my Executor to sell and convert into cash all of my property consisting of real estate, stocks, bonds, and other property and divide the proceeds thereof as follows:

The Sum of One Dollar (\$1.00) to JEANNE SNATER;

One-third to my nephew, WILLIAM B. PHELPS, of Los Angeles, California, and in the event he should predecease me then I direct that said one-third be paid to my nephew, WALLACE PHELPS, of Los Angeles, California;

One-third to my nephew, WALLACE PHELPS, of Los Angeles, California, and in the event he should predecease me then I direct that said one-third be paid to my nephew, WILLIAM B. PHELPS, of Los Angeles, California;

In the event both of my nephews, WILLIAM B. PHELPS AND WALLACE PHELPS should predecease me, then I direct that the two-thirds above bequeathed be paid to ROBERT GADEGAARD, of Pomona, California;

One-sixth to the ILLINOIS CITIZENS ANIMAL WELFARE LEAGUE OF CHICAGO;

One-sixth to the ANTI-CRUELTY SOCIETY OF CHICAGO.

I further declare that all of my other relatives, either by blood or marriage, which are not mentioned in this Will, were excluded herein by intention and not by omission.

FOURTH: I hereby appoint my beloved wife, ELOISE TALBOT PHELPS, as Executrix of this, MY LAST WILL AND TESTAMENT, and I request that she be not required to post or furnish any bond as Executor of this Estate.

FIFTH: In the event my beloved wife should predecease me, or in the event my beloved wife refuses or is unable to act as such Executrix, then I direct and appoint that my good friend, NICHOLAS ECONOMOS, of Chicago, Illinois, act as my Successor Executor, hereby vesting him with all the rights and duties incident to said office.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, to this, MY LAST WILL AND TESTAMENT, consisting of two (2) typewritten pages, including this page, on the margins of which I have affixed my signature for better identification, all this on the 24 day of June A. D. 1950.

Eugene Talmage Phelps (SEAL)
EUGENE TALMAGE PHELPS

A T T E S T A T I O N

The foregoing instrument, being the Last Will and Testament of EUGENE TALMAGE PHELPS, was, at the date thereof, signed by the Testator on the margins of each page, and also subscribed thereunder by said Testator, EUGENE TALMAGE PHELPS, in our presence, and we, at the same time, in his presence, and at his request, and in the presence of each other, being first informed by the Testator that this instrument is his Last Will and Testament, have hereunto subscribed our names as Witnesses. And we do hereby certify that the said Testator, at the time of the execution of the aforesaid instrument, was of sound mind and disposing memory.

William Wajeff ADDRESS 6826 Stony Island Ave
WITNESS CHICAGO, ILLINOIS

Martin Gervais ADDRESS 1536 E 69 St
WITNESS CHICAGO, ILLINOIS

Eugene Talmage Phelps
Chicago

IN THE COUNTY COURT OF Thayer COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF
Eugene Talmage Phelps also known
as Eugene T. Phelps
Deceased.

} Letters Testamentary.

STATE OF NEBRASKA }
COUNTY OF Thayer } ss.

Case No. _____ Book _____ Page _____

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Be it known that on the 16 day of August, A. D., 1956,
before me, Harvey W. Hess, the county judge of said county
of Thayer, at the county court room therein, the last will and testament
of Eugene Talmage Phelps, also known as Eugene T. Phelps, late of Thayer County,
Nebraska, deceased, was proved, allowed and admitted to probate by me and entered of record in said court.

Now, therefore, Eloise Talbot Phelps
the executrix, having given the bond and taken the oath required by law,
administration is hereby granted to her of all and singular the goods and chattels, rights, credits,
effects and estate of the said Eugene Talmage Phelps, also known as Eugene T. Phelps, deceased,
in whosoever's hands the same may be found, and you are authorized and required to pay and discharge all debts,
legacies and charges chargeable against said estate, or such dividends thereon as shall be ordered and decreed by the
said county court, and to well and truly discharge and perform all the duties enjoined upon you by law and said will.
Within three months from this date you will make a true inventory of the real estate and of all the goods and chattels,
rights, credits and effects of said Eugene Talmage Phelps, also known as Eugene T. Phelps, deceased,
which shall come to your possession or knowledge, and you will render an account of your administration to this
court within one year from the date hereof, and at any other time when required by this court.

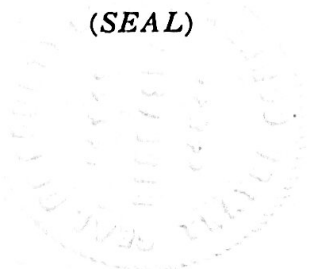
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal, at Hebron, in said county,

(SEAL)

this 21 day of August A. D., 19 56.

Harvey W Hess

County Judge.



Case No. _____ Book _____ Page _____

Letters Testamentary

Estate of _____

Deceased.

COUNTY COURT

State of Nebraska, _____ County,

Filed this _____ day of _____ 19____

County Judge.

523

1902
 W. W. HESS,
 Clerk of County Court,
 Nebraska.

AUG 29 1902
 FILED
 County Court, Nebraska

*Strike if there is a Clerk.

By _____ Clerk of the County Court.

_____ County Judge.

County this _____ day of _____ 19____

WITNESS my official signature and the Seal of the County Court of said

Judge of the County Court for said County, (and ex-officio Clerk thereof,*) do hereby certify that I have compared the foregoing copy of Letters Testamentary with the original record thereof now remaining on file in this office and have found the same to be a correct transcript thereof, and of the whole of such original Letters. And I further certify that the same are still in full force and effect.

I
 STATE OF NEBRASKA }
 COUNTY OF _____ } ss

In the County Court of Thayer County, Nebraska.

In the Matter of the Estate of Eugene Talmage Phelps a/k/a/ Eugene T. Phelps Deceased.

To H. R. Killinger and M. J. Dagefoerde

of Thayer County State of Nebraska.

You are hereby appointed to appraise on oath, all the real estate, goods, chattels, rights and credits of the deceased in this matter, as shown in the inventory below listed, and when you have performed that service, you are required to deliver this order and your doing in pursuance thereof.

To Eloise T. Phelps the executrix of the Estate of said Deceased.

Witness my hand and the seal of said Court, this 7th day of March 1957

Harvey W. Hens
County Judge.

STATE OF NEBRASKA
COUNTY OF Thayer

H. R. Killinger and M. J. Dagefoerde being first duly sworn on oath depose and say that they will faithfully and impartially perform the duties of appraisers in this Estate, according to law and the best of their ability.

H. R. Killinger
M. J. Dagefoerde

Subscribed in my presence and sworn to before me, this 9 day of March 1957.

Harvey W. Hens
County Judge—Notary Public.

REAL ESTATE

PART OF SECTION OR NAME OF TOWN	SEC. OR LOT	TWP. OR BLK.	RNG.	ACRES	APPRAISEMENTS	INCUMBRANCES	NET VALUE
The Northwest quarter of Section 24, Township 3, Range 2, Thayer County, Nebr.							20000 00
The East one-half of the Northwest quarter of Section 31, Township 2, Range 2, Thayer County, Nebraska							4000 00
Southeast quarter of Southwest quarter (SE 1/4 of (SW 1/4) of Section 30, Township 2, Range 2, Thayer County, Nebr.							2000 00
Southeast quarter of Section 23, Township 3, Range 2, Thayer County, Nebraska, (held in joint tenancy with Eloise T. Phelps)							24000 00
Lot 6 and East half of Lot 5, Block 2, Eads Addition to Hebron, Nebr. (held in joint tenancy with Eloise T. Phelps)							12000 00
Total Value of Real Estate							63000 00

**INVENTORY, APPRAISEMENT
OATH OF APPRAISERS**

COUNTY COURT

NEBRASKA COUNTY,

IN THE MATTER OF THE ESTATE OF

Deceased.

Filed this 19 day of April 1957
and recorded in Book _____ Page _____

Flanery W. Steas
County Judge.

By _____ Clerk

RECEIVED of the County Judge of _____ County, a copy of
the foregoing inventory, this _____ day of _____ A. D. 19____
County Assessor - County Clerk

DEC 15 1972

ROBERT L STUTZ
JUDGE

IN THE COUNTY COURT OF THAYER COUNTY NEBRASKA

IN THE MATTER OF THE ESTATE OF	(
EUGENE TALMAGE PHELPS, ALSO) FINAL REPORT AND PETITION SUB-
KNOWN AS EUGENE T. PHELPS,) MITTEXTENT BENEF OF DECEASED
DECEASED.	EXECUTRIX.

Comes now H. R. Killinger and represents to the Court as follows:

That he is the duly appointed, qualified and acting executor of the last will and testament and estate of Eloise Talbot Phelps, Deceased, and he makes and files this final report and petition in his capacity as such executor.

That Eugene Talmage Phelps, also known as Eugene T. Phelps, died on June 15, 1956, being a resident of Thayer County, Nebraska, and leaving an instrument purporting to be his last will and testament, in which his wife Eloise Talbot Phelps was named as executrix. That as shown by the records of this court, after due notice of the time and place of hearing fixed for the hearing on the petition filed herein for the probate of said instrument, and the for the appointment of Eloise Talbot Phelps as executrix which notice was given in accordance with and as provided by law by publication, and in accordance with the order of this court for the giving of said notice of hearing, said instrument was by the order of this Court duly admitted to probate as the last will and testament of said Eugene/^{Talmage}~~Talbot~~ Phelps, also known as Eugene T. Phelps, and Eloise Talbot Phelps was ordered appointed as executrix thereof; said order bearing date of August 16, 1956. That said order was never appealed from, and same is still in full force and effect. That Eloise/^{Talbot} Phelps qualifid as executrix by filing the required bond and oath, and on August 21, 1956, Letters Testamentary were duly issued to her.

That said Letters Testamentary were still in full force and effect at the time of death of said executrix.

That said executrix duly filed a complete inventory of all the estate real and personal property, and included in said inventory a complete list of real and personal property held by said decedent and said executrix in joint tenancy. That the Court appointed H. R. Killinger and M. J. Dagefoerde to appraise the estate property, and said appraisers made a full and complete appraisal of the real and personal property of the estate, including all of said real and personal property held in joint tenancy, and said inventory and appraisal now being on file herein.

That the Court by its order directed that the claims of creditors be filed on or before December 21, 1956, and that a hearing on claims be held on December 22, 1956; that due notice thereof was given to creditors by publication as provided by law and said order of the Court as shown by proof of publication on file. That on December 22, 1956 an order allowing and barring claims was entered by the Court. That 4 claims, all being for expenses incurred in the last illness and burial of decedent, were the only claims filed, that they were all allowed, and said claims were all fully paid by said executrix.

That on April 23, 1957 a hearing was held before this Court for the purpose of determination whether any inheritance taxes were due in said estate. That Leonard J. Germer, county attorney of Thayer County, Nebraska, had been duly notified of said hearing and he was present at said hearing. That at its conclusion said hearing was continued until the further order of the Court. That on September 27, 1957, a further hearing was held

by this Court for determination whether tax due, said county attorney again being present at said hearing; and at the conclusion of said hearing on September 27, 1967, the Court found due an inheritance tax of \$340.13 from Eloise Talbot Phelps, and the certificate of the county treasurer of Thayer County, Nebraska, shows payment of said tax by her. That no inheritance tax was found due from any other person.

That said executrix duly filed a federal estate tax return for the estate with the Internal Revenue Service, said return showing no federal estate tax due. That said return was approved by The Internal Revenue Service, and its Estate Closing Letter showing no federal Estate Tax due from said estate is on file.

That said executrix also duly filed a state estate tax return for said estate with the State Tax Commissioner of Nebraska, same showing no state estate tax due. That the certificate of said State Tax Commissioner approving said report and finding no state estate tax due is on file herein.

That said executrix filed the required income tax returns for the estate with Internal Revenue Service and paid the income taxes shown payable thereon. That said executrix duly filed with the county assessor of Thayer County, Nebraska, the required annual returns of property for taxation and paid the taxes shown payable by the estate thereon.

That said executrix had waives payment for her services as executrix and paid the other fees and costs of administration.

That the decedent Eugene Talmage Phelps was at the time of his death the owner of the fee simple title for the following described real estate: the Northwest Quarter of Section 24,

Township 3, Range 2, Thayer County, Nebraska, and the East one-half of the Northwest Quarter of Section 31, and the Southeast Quarter of the Southwest Quarter of Section 30, all in Township 2, Range 2, in Thayer County, Nebraska. That said decedent held title with his wife Eloise Talbot Phelps as joint tenants with right of survivorship, for the following described real estate: the Southeast Quarter of Section 23, Township 3, Range 2, Thayer County, Nebraska, and Lot 6 and east Half of Lot 5, Block 2, Eads Addition to city of Hebron, Nebraska.

That said decedent was not survived by any child natural born to him or adopted and was not survived by any issue of a natural born or adopted child. That decedent was survived by his wife, Eloise Talbot Phelps, and that she is the sole beneficiary under under the last will and testament of said decedent.

That after full payment by said executrix of all the claims, taxes, fees and costs of administration, hereinbefore set forth or referred to, and after determination made that no federal estate tax or ^{state} estate tax was due from said estate, said Eloise Talbot Phelps in her personal capacity as sole devisee and beneficiary under said last will and testament took possession of all of said decedent's real and personal property remaining in her hands as executrix, and thereafter to the end of her life treated said real and personal property as her own property and exercised all the rights of her personal ownership thereof..

Petitioner further alleges that at the time of her death on August 21, 1970, Eloise Talbot Phelps had completed her administration of said estate of Eugene Talmage Phelps, except for the filing of a final report as executrix and having same approved by this Court.

The petitioner as the executor of the last will and testament and estate of Eloise Talbot Phelps, Deceased, submits and files the foregoing final report and petition for and on behalf of said deceased executrix and as her final report and petition for approval of same and approval of her entire administration of said estate of Eugene Talmage Phelps.

Petitioner therefore prays that a time and place for hearing this final report and petition submitted on behalf of said deceased executrix be set by the Court, that notice thereof be ordered given as provided by law, and that on said hearing this final report and petition be approved as the final report and petition of said executrix, and that her entire administration of said estate be approved all of her acts as executrix ratified and confirmed, that all the estate property be assigned in accordance with the last will and testament of said Eugene Talmage Phelps, that said decedent Eloise Phelps and her estate be discharged from any further responsibility for said estate of Eugene Talmage Phelps, and that the principal and sureties on the official bond filed by said deceased executrix be released from any and all further liability thereon, and for any other orders necessary in the premises.

H. R. Killinger

State of Nebraska
Thayer County) SS

H. R. Killinger being first duly sworn, deposes and says he as executor of the last will and testament of Eloise Talbot Phelps, is the petitioner herein, that he has read the foregoing final report and allegations, and that said allegations are true as he verily believes.

H. R. Killinger

Subscribed and sworn to before me this 16 day of November, 1972.

My commission expires 3/20/73

Walter C. Weiss
Notary Public
notary Public

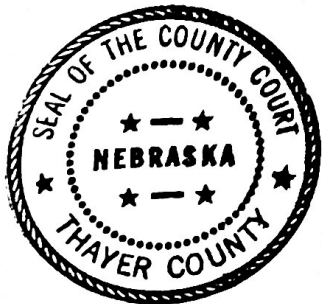
IN THE COUNTY COURT OF THAYER COUNTY NEBRASKA

IN THE MATTER OF THE ESTATE) ORDER FOR HEARING ON FINAL REPORT
OF EUGENE TALMAGE PHELPS, ALSO) SUBMITTED ON BEHALF OF DECEASED
KNOWN AS EUGENE T. PHELPS, (EXECUTRIX.
DECEASED.

It appearing that H. R. Killinger, executor of the last will and testament and estate of Eloise Talbot Phelps, Deceased, has filed herein for and on behalf of said Eloise Talbot Phelps as executrix of the estate of said Eugene Talmage Phelps, also known as Eugene T. Phelps, a final report of her administration of said estate of Eugene Talmage Phelps, with a petition for approval of said final report and of all official acts of said executrix, for assignment of all the real and personal property of said estate of Eugene Talmage Phelps in accordance with the last will and testament of said Eugene Talmage Phelps, and for the discharge of said deceased executrix and her estate from further responsibility in the estate of Eugene Talmage Phelps, and for any further orders necessary for a complete and final settlement of said estate; which ~~will~~ ^{is ordered to} be for hearing in this Court on the 9th day of January, 1973, at 2:00 P. M..

It is further ordered that notice of said hearing be given by publication of the attached notice of final settlement in the Hebron Journal Register, a legal newspaper of said county, three successive weeks prior to said hearing, as provided by law.

Dated this 15th day of December, 1972.



County Court, Thayer County

FILED

DEC 15 1972

ROBERT L STUTZ
JUDGE

Robert L Stutz
County Judge.

FINAL DECREE.

Harvey W. Hess, Co. Judge
To
William Burgess Phelps, etal

} Filed for record October 26th 1931 at 2:30 o'clock P.M.
J. C. Strain, County Clerk.

IN THE COUNTY COURT OF THAYER COUNTY, NEBRASKA.

IN THE MATTER OF THE ESTATE OF
LYDIA PHELPS INGERSOLL, DECEASED

} FINAL DECREE.

And now on this 13th day of October, 1931, at the hour of 10 o'clock A.M. to which time this matter was continued from the 6th day of August, 1931, by an order of this Court made on said last mentioned date, this matter came on for hearing on the final report and petition for discharge of C. Collins, administrator with the will annexed. Upon a consideration of said final report and the evidence, the Court finds:

That Lydia Phelps Ingersoll departed this life in the city of San Diego, California, on December 17, 1929, being at the time of her death a resident of San Diego County, California, and that she left a last will and testament which related to real property located in Thayer County, Nebraska, which will was on May 16, 1930, admitted to probate in the proper Court of San Diego County, California; that said Will was thereafter, to-wit, on the 2nd day of October, 1930, admitted to probate in this Court and that the order admitting said will to probate in this Court has never been appealed from and same is now in full force and effect; that thereafter on October 8, 1930, Letters of Administration with the will annexed were issued to C. Collins, and that he has ever since been the duly appointed, qualified and acting administrator with the will annexed of said estate.

The Court further finds that said Administrator has reduced to cash all personal property coming into his hands as such Administrator and amounting to the sum of \$412.65; that he has paid all claims and debts against the estate, including costs of administration, and that the total of expenditures so made by him is \$412.66. That the final report of said Administrator and all of his acts as such should be approved and that he is entitled to be discharged. That an order barring claims herein was entered by this Court on February 2, 1931.

The Court further finds that said Lydia Phelps Ingersoll left as her sole and only heirs at law the following:

- John L. Ingersoll, her husband, of San Diego, California.
- William Burgess Phelps, her brother, of Los Angeles, California.
- Eugene Talmade Phelps, her brother, of Chicago, Illinois.

The Court further finds that John L. Ingersoll, husband of decedent, died since the death of decedent, towit, on the 5th day of July, 1930. That neither the said John L. Ingersoll in his lifetime, nor any heir, legatee, devisee, executor or administrator of said John L. Ingersoll since his death, has filed a renunciation of the terms of the will of Lydia Phelps Ingersoll or an election to take by inheritance and descent and distribution as provided by law.

The Court further finds that Lydia Phelps Ingersoll was at the time of her death the owner of the following real estate all located in Thayer County, Nebraska;

An undivided one-third (1/3) interest in the South half of the Northeast quarter and in the North half of the Southeast quarter of Section twenty (20),

Township two (2), Range three (3);

An undivided one-half ($1/2$) interest in the Northwest quarter of Section twenty four (24), Township three (3), Range two (2);

An undivided one-third interest in the Southeast quarter of the southwest quarter of Section thirty (30), Township two (2), Range two (2);

An undivided one-third ($1/3$) interest in the East half of the Northwest quarter of Section thirty one (31), Township two (2), Range two (2);

The Court further finds that the Northwest quarter of Section twenty four (24), Township three (3), Range two (2), Thayer County, Nebraska, was at the time of the execution of decedent's will and had been for many years previous thereto known, both in the family of decedent and in the family of her father David B. Phelps, as the "Watts farm", and that said farm took its name from the fact that same was acquired by David B. Phelps from one C. H. Watts; and that said Northwest quarter of Section twenty four (24), Township three (3), Range two (2), Thayer County, Nebraska, is the premises described in the fourth paragraph of decedent's will.

The Court further finds that the South half of the Northeast quarter and the North half of the Southeast quarter of Section twenty (20), Township two (2), Range three (3), Thayer County, Nebraska, was at the time of the execution of decedent's will and had been for many years previous thereto known, both in the family of decedent and in the family of her father David B. Phelps as the "Harold farm" and that said farm took its name from the fact that same was acquired by David B. Phelps from one John W. Herald; and that said North half of the Southeast quarter and the South half of the Northeast quarter of Section twenty (20), Township two (2), Range three (3), Thayer County, Nebraska, is the premises described in the third paragraph of decedent's will.

The Court further finds that the Southeast quarter of the Southwest quarter of Section thirty (30), Township two (2), Range two (2), Thayer County, Nebraska, and the East half of the Northwest quarter of Section thirty one (31) Township two (2), Range two (2), Thayer County, Nebraska, was at the time of the execution of decedent's will and had for many years previous thereto been known, both in the family of decedent and in the family of her father David B. Phelps, as the "Bartlett Farm", and that said farm took its name from the fact that same was acquired by David B. Phelps from one Albert L. Bartlett; and that said Southeast quarter of the Southwest quarter of Section thirty (30), Township two (2), Range two (2), and the East half of the Northwest Quarter of Section thirty one (31), Township two (2), Range two (2), all in Thayer County, Nebraska, is the premises described in the fifth paragraph of decedent's will.

And this matter coming on to be heard at this same time and place on the petition of the administrator for a determination whether an inheritance tax is due from said estate, and the county attorney of Thayer County, Nebraska, having been notified of the time and place of said hearing, the Court heard evidence relating to the value of the property devised by said will. Upon a consideration of the evidence the Court finds, that the exemptions to which the beneficiaries under the will are entitled exceed the value of the property devised to them by said will and that no inheritance tax is due from any of said beneficiaries.

It is therefore ordered, considered and adjudged that the final report of C. Collins, administrator with the will annexed, be and the same hereby is approved, and his acts as such administrator are hereby ratified and confirmed, and that said administrator be

and he hereby is discharged and his bond cancelled.

It is further ordered, considered and adjudged that the Northwest quarter of Section twenty four (24), Township three (3), Range two (2), Thayer County, Nebraska, is the premises described as the "Watts farm" in the fourth paragraph of the will of Lydia Phelps Ingersoll, and that the undivided one-half (1/2) interest of Lydia Phelps Ingersoll in said premises, upon her death passed to Eugene Talmage Phelps under and by virtue of the provisions of the said Fourth paragraph of said will, and said undivided one-half interest in said premises are hereby assigned to him.

It is further ordered, considered and adjudged that the South half of the Northeast quarter and the North half of the Southeast quarter of Section twenty (20), Township two (2), Range three (3), Thayer County, Nebraska, is the premises described as the "Harold farm" in the third paragraph of the will of Lydia Phelps Ingersoll, and that the undivided one-third (1/3) interest of Lydia Phelps Ingersoll in said premises, upon her death passed to William Burgess Phelps under and by virtue of the provisions of the said third paragraph of said will, and that said one-third interest in said premises are hereby assigned to him.

It is further ordered, considered, and adjudged that the Southeast quarter of the Southwest quarter of Section thirty (30), Township two (2), Range two (2), and the East half of the Northwest Quarter of Section thirty one (31), Township two (2), Range two (2), all in Thayer County, Nebraska, is the premises described as the "Bartlett farm" in the fifth paragraph of the will of Lydia Phelps Ingersoll, and that the undivided one-third interest of Lydia Phelps Ingersoll in said premises, upon her death, passed to Eugene Talmage Phelps under and by virtue of the provisions of the fifth paragraph of said will, and that one-third interest in said premises is hereby assigned to him.

It is further ordered and adjudged that there is no inheritance tax due from said estate or from any of the beneficiaries under said will, and that this estate matter be now finally closed.

Harvey W. Hess

County Judge

(SEAL)

CERTIFICATE OF TRANSCRIPT

STATE OF NEBRASKA }
THAYER COUNTY } ss:

IN THE COUNTY COURT OF THAYER COUNTY, NEBRASKA

I, Harvey W. Hess, County Judge, in and for said County, do hereby certify that I have compared the foregoing copy of Final Decree with the original record thereof, now remaining in said court; that the same is a correct transcript thereof, and of the whole of said original record; that said court has no clerk authorized to sign certificates in his own name, and that I have the legal custody and control of said original record; that said court is a court of record, has a seal, and that said seal is hereto affixed; and that the foregoing attestation is in due form, according to the laws of the State of Nebraska.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said court this 13 day of October A.D. 1931.

Harvey W. Hess, County Judge

(Seal of
County Court
Thayer County
Nebraska)

South East Quarter of the North West Quarter of Section 25, Township 3,
Range 1, Thayer County, Nebraska,
from Lewie Phillipy on February 23, 1884 and which deed was recorded in deed record N, Page
211, and acquainted with P. D. Bauer, one of the grantees of the above described land, from
D. W. Burright, grantor, on March 30, 1883, and which deed was recorded in Deed record Book
L, Page 219 of the deed records of Thayer County, and acquainted with Phillip D. Bauer and
wife, who conveyed by warranty deed to William McKinley the

South East Quarter of the North West Quarter of Section 25, Township 3,
Range 1, Thayer County, Nebraska, on April 18, 1889, and which deed was
recorded in deed record U, Page 433, and your affiant positively knows that the said P. D.
Bauer as grantee from D. W. Burright and as grantee from Lewie Phillipy and Phillip D. Bauer
as grantor to William McKinley are one and the same person notwithstanding the discrepancy
in said names.

Further affiant sayeth not.

Geo. W. Wilson

Subscribed and sworn to before me this 10th day of July, 1931.

P. I. Harrison

Notary Public

P. I. Harrison
Notarial Seal
Commission Expires
Jan. 25-1935
Thayer County
Nebraska

W I L L. ETC.

Harvey W. Hess, Co. Judge
To
William Burgess Phelps et al

Filed for record July 14", 1931 at 10 o'clock A.M. and
recorded in Book Q of Miscellaneous Records on page 355²
J. C. Strain, County Clerk.

IN THE NAME OF GOD, AMEN;

I, Lydia Phelps Ingersoll, of the County of Tulare, State of California, of
the age of sixty years, and being of sound and disposing mind and memory, and not acting
under duress, menace, fraud or under the influence of any person whatsoever, do make, pub-
lish and declare this my last will and Testament in the manner following, that is to say;

FIRST: I direct that all my just debts be paid.

Secondly;- In making my Will, my husband, John L. Ingersoll understands that
the property which I am bequeathing and devising herein is an inheritance from my father's
estate.

Thirdly;- I give, bequeath and devise my one-third interest in the "Harold
Farm" of 160 acres near Hebron, Thayer County, State of Nebraska, to my brother, William
Burgess Phelps, whose present address is 2027 Vista Del Mar, Hollywood, California.

Fourthly;- I give, bequeath and devise my one-half interest in the "Watts
Farm" of one hundred sixty acres near Hebron, Thayer County, State of Nebraska, to my
brother Eugene Talmage Phelps, whose present address is 1041 East 63rd Street, Chicago,
Illinois.

Fifty;- I give, bequeath and devise my one-third interest in the "Bartlett
Farm" of one hundred twenty acres, near Hebron, County of Thayer, State of Nebraska, to my

brother, Eugene Talmage Phelps, whose present address is 1041 East 63rd Street, Chicago, Illinois.

Sixth;- I hereby give and bequeath all my water color paintings in my living room, and also my chest of drawers and Martha Washington Table and also all my china and cut glass to my niece, Helen Ann Gadegaard, whose present address is Pomona, California.

Seventh;- I give and bequeath my Baby Grand Piano to my grandniece, Margaret Ann Gadegaard, who is residing at present with her mother, Helen Ann Gadegaard, of Pomona, California.

Eighth;- I hereby give and bequeath whatever cash I have on hand at the time of my death to William Phelps, Jr. and Wallace T. Phelps, share and share alike.

Ninth;- It is my wish and request that the chest of drawers and the Martha Washington Table bequeathed to my niece, Helen Ann Gadegaard in Paragraph 6 of this Will be not sold and that the said Helen Ann Gadegaard shall give and bequeath the same to her oldest daughter, so that the chest of drawers and Martha Washington Table may pass on to the oldest daughter in line.

Tenth;- I hereby nominate and appoint my said Brothers, William Burgess Phelps and Eugene Talmage Phelps the Executors of this my last Will and Testament, to serve as such without being required to give any bond or bonds as such Executors for any purpose and hereby revoke all former wills by me made.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of September, 1925.

Lydia Phelps Ingersoll

The foregoing instrument consisting of two pages besides this was at the date hereof, by the said Lydia Phelps Ingersoll, signed and published as and declared to be her last Will and Testament, in the presence of us who at her request, and in her presence, and in the presence of each other have subscribed our names as witnesses thereto

Albert O. Oleson, residing at Exeter, California.

Roland S. Ross, residing at Exeter, California.

CERTIFICATE OF PROBATE OF WILL.

STATE OF NEBRASKA }
THAYER COUNTY } ss.

At a Session of the County Court held at the County Court Room in Hebron in said County, on the 2nd day of October A.D. 1930, present Harvey W. Hess, County Judge. In the matter of the estate of Lydia Phelps Ingersoll, deceased, I, Harvey W. Hess, County Judge in and for said county, do hereby certify that on the 2nd day of September A.D. 1930, the instrument purporting to be the last will and testament of Lydia Phelps Ingersoll deceased, was filed for probate in this Court. That on the 2nd day of October A.D. 1930, said instrument to which this is attached was duly proved, probated, and allowed, as the last will and testament of the said Lydia Phelps Ingersoll deceased, and the same was ordered to be recorded in the records of the Court aforesaid.

IN WITNESS WHEREOF I have hereunto set my hand and the seal of the said County Court this 2nd day of October A.D. 1930.

Harvey W. Hess,
County Judge

(SEAL)

CERTIFICATE OF TRANSCRIPT

STATE OF NEBRASKA)
THAYER COUNTY) ss:

IN THE COUNTY COURT OF THAYER COUNTY, NEBRASKA.

I, Harvey W. Hess, County Judge, in and for said County, do hereby certify that I have compared the foregoing copy of the Last Will and Testament, and the Certificate of Probate of Will, in the matter of the estate of Lydia Phelps Ingersoll, deceased, with the original record thereof, now remaining in said court; that the same is a correct transcript thereof, and of the whole of said original record; that said court has no clerk authorized to sign certificates in his own name, and that I have the legal custody and control of said original record; that said court is a court of record, has a seal, and that said seal is hereto affixed; and that the foregoing attestation is in due form, according to the laws of the State of Nebraska.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said court this 14th day of July A.D. 1931.

Harvey W. Hess
County Judge

Seal of
County Court
Thayer County
Nebraska

LAST WILL AND TESTAMENT, ETC.

✓ E. R. Bee, County Judge)
To)
(Anna Harms, widow, et al)

Filed for record July 16th, 1931 at 2 o'clock P.M. and recorded in Book Q of Miscellaneous Records on page 357².

J. C. Strain, County Clerk
By W.H.Kellermeier, Deputy

W I L L.

I, Herman Harms, of Fairbury, Nebraska, considering the uncertainty of this mortal life and being of sound and disposing mind and memory do make, publish and declare this as and for my last will and testament in manner and form following; that is to say:

First.

I direct that my funeral charges the expenses incident to my last sickness, the expenses of administering my estate, and all my just debts be paid out of my personal property. If that be insufficient, I authorize my executors hereinafter named, to sell so much of my real estate as may be necessary for that purpose.

Second.

I hereby designate and appoint my two sons, John H. Harms and Albert Harms, executors of this my last will and testament, and hereby revoking any and all former wills by me made.

Third.

I give, devise and bequeath to my beloved wife, Anna Harms, Lots 8 and 9,

QUIT CLAIM DEED.

John L. Ingersoll & wf
to
Eugene T. Phelps

Filed for record the 24th day of December 1929 at 2 o'clock P.M.
B.A. Young County Clerk

This Indenture made this 27th day of July A.D. 1925 between John L. Ingersoll and Lydia P. Ingersoll husband and wife of the first part, and Eugene T. Phelps of the second part.

Witnesseth, that the said parties of the first part, in consideration of the sum of ten and no/100 dollars to us duly paid, the receipt whereof is hereby acknowledged, we have remised, released and quit claimed and by these presents do for ourselves heirs, executors and administrators, and remise, release and forever quit-claim and convey unto the said party of the second part and to his heirs and assigns forever, an undivided one half right, title, interest, estate, and claim and demand both at law and in equity, of, in and to all of the north west quarter of Section twenty four (24) township three (3) north of range two (2) also an undivided one third interest in the east one half of the north west quarter of Section thirty one (31) township two (2) north of range two (2) and the south east quarter of the south west quarter of Section thirty (30) township two (2) north of range two (2) and the south one half of the north east quarter and the north one half of the south east quarter of Section twenty (20) township two (2) north of range three (3) west of the 6th P.M. Thayer County Nebraska.

Together with all and singular the hereditaments thereunto belonging.

To have and to hold the above described premises unto the said Eugene T. Phelps or his heirs and assigns, so that neither the said grantors or any person in their names and behalf, shall or will hereafter claim or demand any right or title to the said premises, or any part thereof, but they and every one of them shall by these presents be excluded and forever barred.

In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year last above written.

Signed, sealed and delivered in presence of
R.S. Ross
R.C. Franklin

John L. Ingersoll
Lydia Phelps Ingersoll

State of California, }
Tulare County } ss.

On this 8th day of December A.D. 1925 before me the undersigned, A.W. Quinn a Notary Public duly commissioned and qualified for and residing in said county, personally came John L. Ingersoll and Lydia Phelps Ingersoll, his wife to me known to be the identical persons whose names are affixed to the foregoing conveyance as grantors, and acknowledged the same to be their voluntary act and deed for the purposes therein set forth.

Witness my hand and Notarial Seal the day and year last above written.

A.W. Quinn
Notary Public
Tulare Co. Cal

A.W. Quinn Notary Public

My commission expires the 27th day of December 1927