



[Stearns County \(Minn.\)](#)
[Probate Court: Probate case](#)
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State of Minnesota,

County of Stearns

IN PROBATE COURT

19434

In the Matter of the Estate of

Ottillia Schreiffels

Decedent.

Petition for Allowance and
Probate of Will

To the Probate Court in and for said County:

Your petitioner represents and alleges to the Court:

FIRST—That your petitioner is a resident of Forest Prairie Township in the County of Becker State of Minnesota, and is an adult and is interested in the estate of decedent in this, to-wit: daughter of decedent and executrix named in will.

SECOND—That said decedent was born in the Country of Main Prairie Township, Stearns County, Minn. and died at Cold Spring County of Stearns, State of Minnesota, on the 2nd day of October, 1962, aged 76 years and at the time of her death was a native of U. S. A. and a citizen of the Country of U. S. A. and a resident of Cold Spring in the County of Stearns and State of Minnesota and left estate in the County of Stearns State of Minnesota.

THIRD—That said decedent died leaving a last Will and Testament which Will is herewith presented and filed for Probate.

FOURTH—That the estate of decedent at the time of his death consisted of personal property of the estimated value of \$ 210.00 divided as follows:

- | | | | |
|---------------------|----------------------------|------------------------|-------------|
| 1. Household goods, | \$ No value | 2. Wearing apparel, | \$ No value |
| 3. Stock, | \$ None | 4. Notes, bonds, etc., | \$ None |
| 5. Miscellaneous, | \$ 210.00, Savings Account | | |

That said estate also included real estate of the estimated worth and probable value of \$ 5000.00 situated in said County of Stearns State of Minnesota, to-wit:

1. Homestead in Stearns County, Minnesota, as follows:

A. City Property L. 4, Muggli's Subd. of Blk 14, Cold Spring, Minn.

1/4 acre

(Give Area)

\$ 5,000.00

(or)

B. Rural Property

(Give Area)

2. Real Estate other than Homestead:

A. City Property Lots without Buildings \$

City Property Lots with Buildings \$

B. Rural Property Acres improved land \$

Rural Property Acres unimproved land \$

FIFTH—That the probable amount of debts of decedent is \$ 7000.00, consisting of old age assistance lien.

SIXTH—That the names, ages, relationship and addresses of the heirs, legatees and devisees of said decedent, so far as known to your petitioner are as follows:

SEVENTH—That Mathilda Schreifels Huberty, whose Post Office address is
 Rt. #1, Watkins, Minnesota is named in said Will as executor
 thereof and ^{is} ~~are~~ suitable and competent person to be executor of said Will.

WHEREFORE, Your petitioner prays that said last Will and Testament be allowed and admitted to probate; and that said Mathilda Schreifels Huberty be appointed executor thereof; and that, upon due qualification as provided by law, letters testamentary be issued to the said Mathilda Schreifels Huberty

Dated October 5, 1962

State of Minnesota.

County of _____ Stearns

being duly sworn, on oath says that she is the petitioner named in the foregoing petition; that the said petition is true of her own knowledge except as to the matters therein stated on information and belief, and as to those matters she believes it to be true.

Subscribed and sworn to before me this 5th
day of October, 1962

Julia Stein
Notary Public Stearns County, Minnesota.

My Commission expires October 29, 1964.

State of Minnesota,

County of Stearns

IN PROBATE COURT

Petition for Allowance and Probate of Will

In the Matter of the Estate of

Ottilia Schreifels

Decedent,

Selection of Newspaper

To the Judge of said Court:

Please cause the notices in said estate to be published in the

Cold Spring Record

(Here insert name of newspaper)

Russell & Wionbring

(Sign your name here)

Filed this 8th day of

October 1962

Loislyn Burkhart
Probate Judge-Clerk.

No. 15000000

PRINTER'S AFFIDAVIT OF PUBLICATION

Printer's Affidavit of Publication. (Mason's Minn. Statutes, 1927, Chaps. 10935, 10936, as amended by Chap. 373, G. L. 1933, as amended by L. 1935, C. 166.)

STATE OF MINNESOTA,
County of Stearns.

I, Paul A. Honer, being duly sworn, on oath says; that he is, and during all the times herein stated has been the publisher of the newspaper known as COLD SPRING RECORD, and has full knowledge of the facts hereinafter stated; that for more than one year

prior to the publication therein of the Order for Hearing Petition

To Admit Will and Notice To Creditors, re estate of

Ottilia X. Schreifels, Decedent

STATE OF MINNESOTA,
County of Stearns
PROBATE COURT
File No. 19,434
Re Estate of Ottilia Schreifels,
Decedent.

IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on Friday, November 9th, 1962, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date hereof and that said claims be heard on Friday, February 8th, 1963, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

Dated this 8th day of October, 1962.

JOHN LANG,
Probate Judge.

RUSSELL & WILLENBRING,
Attorneys.

hereinafter described, said newspaper was printed and published in the Village of Cold Spring, in the County of Stearns, State of Minnesota, on Thursday of each week; that during all said time said newspaper has been printed in the English language from its known office of publication within the Village from which it purports to be issued as above stated in column and sheet form equivalent in space to at least 450 running inches of singlecolumn, two inches wide; has been issued once each week from a known office established in said place of publication and equipped with skilled workmen and the necessary material for preparing and printing the same; that during all said time in its makeup not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that during all said time it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and advertisements; has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and has entry as second class matter in its local post-office; and that there has been on file in the office of the County Auditor of Stearns County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the Probate Notice

hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English language, one each week

for three (3) successive weeks; that it was first so published

on Thursday, the 18 day of Oct., 19 62, and thereafter on Thursday of each week to and including the

1st day of Nov., 19 62; and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

Paul A. Honer

Subscribed and sworn to before me this 8th day of

November, 19 62

Julia Stein
Notary Public, Stearns County, Minn.
Julia Stein

My Commission expires October 29, 19 64

19,434

STATE OF MINNESOTA
County of Stevens }

PROBATE COURT

In the Matter of the Estate of

William Schaefer

Decedent

FILED THIS 9th DAY

OF November AD, 1962

Joseph H. Schaefer
CLERK OF PROBATE

State of Minnesota,

County of Stearns

} ss.

IN PROBATE COURT

In the Matter of the Estate of Ottilia Schreifels Deceased.

THE LAST WILL AND TESTAMENT of said deceased having been this day admitted to probate by this Court,
and Mathilda Schreifels Huberty named as executrix of said Will,
having applied for Letters Testamentary thereon:

IT IS ORDERED, That the said Mathilda Schreifels Huberty give
bonds to the Judge of this Court in the sum of One Thousand and no/100 - - - - -
- - - - - (\$1,000.00) - - - - - Dollars,
conditioned that he will faithfully execute the duties of her trust according to law, with sufficient sureties, to be approved by said Judge, and that thereupon Letters Testamentary to be her issued.

Dated at St. Cloud Minnesota, the 9th day of November
A. D. 1962.

By the Court,

Russell & Willenbring,

Attorney S. for Petitioner.

John Long
Judge of Probate.

00583004

No. 19,434

IN PROBATE COURT

County of Stearns

In the Matter of the Estate of
Otilia Schreifels,
Deceased.

ORDER FOR EXECUTOR'S BOND

Filed this 9th day of
November A. D. 19 62, and
recorded in Book of Orders, on
page

Roselyn Kuchner
Clerk/Judge of Probate.

No. 3640*

005883002

State of Minnesota,

County of Stearns

IN PROBATE COURT.

In the Matter of Proving the Last Will and Testament of the Estate of

Ottilia Schreifels

Proof of Will

Decedent.

State of Minnesota,

County of Stearns

J. J. Willenbring

, being

duly sworn on behalf of the proponent of the Will, doth depose and say: that he is one of the subscribing witnesses to the instrument now shown him, bearing date the 29th day of

October A. D. 19 59, and purporting to be the Last Will and Testament of

Ottilia Schreifels

of the County

of Stearns and State of Minnesota now here presented

for probate; that J. J. Willenbring knew

and was well acquainted with the said Decedent, in her lifetime and at the time of her death, that on the day

and date of said instrument, to-wit, the 29th day of October

A. D. 19 59, the said instrument was signed, sealed, executed and then and there acknowledged, published and declared

by the said decedent, to be her Last Will and Testament in the presence of deponent and of

Julia Stein

the other subscribing witness thereto, and that deponent and the said

Julia Stein

the other subscribing witness did then and there, in the presence of the said decedent, and at her request,

severally subscribe said instrument as witnesses thereto.

Deponent further says that at the time of the execution of said instrument as aforesaid, the said Decedent was of sound and disposing mind, memory and understanding, of lawful age and under no restraint to the best of deponent's knowledge, and as he verily believes.

And further deponent saith not.

Subscribed and sworn to before me this
9th day of November A. D. 19 62

Judge of Probate.

[Signature]

No. 19,434

State of Minnesota.

County of Stearns

} ss.

IN PROBATE COURT

IN THE MATTER OF THE LAST WILL AND
TESTAMENT OF

Ottilia Schreifels

Decedent.

TESTIMONY OF

J. J. Willenbring
Subscribing Witness to Will.

Taken, sworn, subscribed and filed this

9th day of

November 19 62

Leslie T. Felt
Clerk Judge of Probate.

No. 3655

400388005

Last Will and Testament

IN THE NAME OF GOD, AMEN.

I, Ottilia Schreifels, of the Village of Cold Spring, County of Stearns and State of Minnesota, being of sound mind and memory, and considering the uncertainty of this frail and transitory life, do therefore make, ordain, publish and declare this to be my Last Will and Testament.

FIRST, I order and direct that my executrix, hereinafter named, pay all of my just debts and funeral expense as soon after my decease as conveniently may be.

SECOND, After the payment of such funeral expense and debts, I give, devise and bequeath all of the rest, residue and remainder of my estate to my children hereinafter named, in equal shares, share and share alike, namely to:

Mathilda Schreifels Huberty, Theodore Schreifels, Reverend Ferdinand Schreifels, O. S. B., Theresa Schreifels Menke, Clara Schreifels Huberty, Barbara Schreifels Nistler, Marie Schreifels Roeser and Rita Schreifels Ludwig.

LASTLY, I make, constitute and appoint my daughter, Mathilda Schreifels Huberty, to be executrix of this my last will and testament. In the event she is unable to act, for any reason, then I nominate and appoint my daughter, Theresa Schreifels Menke, to be executrix.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of October, 1959.

Ottilia Schreifels

THIS INSTRUMENT was on the date thereof signed, published and declared by the said testatrix to be her last will and testament, in our presence, who, at her request have subscribed our names thereto as witnesses, in her presence and in the presence of each other.

Julia Stem
Willie Schreifels

Residing at Cold Spring, Minnesota

Residing at Cold Spring, Minnesota

Will

of

OTTILIA SCHREIFELS

Russell & Willenbring
Attorneys
Cold Spring, Minn.

005883006

State of Minnesota,

County of Stearns

IN PROBATE COURT
CERTIFICATE OF PROBATE

In the Matter of the Estate of Ottilia Schreifels Decedent

Be it Remembered, That on the day of the date hereof at a Special Term

of said Probate Court, pursuant to the notice duly given, the last will and testament of

Ottilia Schreifels Decedent, late of said County of Stearns

bearing date the 29th day of October 19 59, and being the annexed

written instrument, was duly proved before the Probate Court, in and for the County of Stearns

aforesaid; and was duly allowed and admitted to probate by said Court according to law; as and for the last Will and Testa-

ment of said Ottilia Schreifels

deceased, which said last Will and Testament is recorded and the examination taken thereon filed in this office.

In Testimony Whereof, The Judge of the Probate Court

of said County has hereunto set his hand and affixed the seal

of said Court at St. Cloud in said County,

this 9th day of November 19 62

John Long
Judge of Probate.



0058 3007

State of Minnesota.

County of

ss.

IN PROBATE COURT

I,

County of _____ do hereby certify that I have compared the foregoing copy of the record of last Will and Testament and Certificate of Probate thereon and the original records thereof now remaining in this office and have found the same to be correct transcripts therefrom and of the whole of such original records.

In Testimony Whereof, I have hereunto set my hand and affixed the seal

of said Court, at _____
day of _____

A. D. 19 _____

this _____

of Probate Court.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels,
Decedent.

Certificate of Probate of Will

Filed this 9th day of
November 19⁶², and recorded,

together with the will attached in Book
M of Records of Wills, Page 549-552

Roselyn Kuchouse
Clerk Judge of Probate.

State of Minnesota,
County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Ottilia Schreifels,

Decedent

Order Admitting Will to Probate

The above entitled matter came on to be heard on the 9th day of November 1962

upon the petition of Mathilda Schreifels Huberty

for the allowance of an instrument filed therewith purporting to be the last will and testament of the above named decedent; and the court having duly heard the same and all the evidence produced in support thereof, and having duly considered the same, finds as follows:

FIRST—That the citation of this court, dated the 8th day of October 1962 has been duly served and published as directed therein and required by law.

SECOND—That said decedent died on the 2nd day of October 1962, and at the time of his death was a resident of Cold Spring in the County of Stearns and State of Minnesota and left estate in the County of Stearns State of Minnesota.

THIRD—That the subscribing witness^{es} to said purported last will and testament of said decedent, to-wit:

Julia Stein and J. J. Willenbring

and J. J. Willenbring duly sworn and examined, and his testimony reduced to writing, subscribed by him and filed herein.

FOURTH—That said instrument presented for probate as aforesaid was duly executed by said decedent as his last will and testament, according to law; and that said decedent, at the time he executed the said instrument, was of sound mind and free from undue influence, of lawful age, and under no restraint

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the said instrument presented and proved as aforesaid be and the same hereby is, established and allowed as the last will and testament of the above named decedent, and is hereby admitted to probate.

Dated November 9th, 1962.

John Long
Judge of Probate.

19,434

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilla Schreiefels,
Decedent.

Order Admitting Will to Probate

Filed this 9th day of

November 1902, and recorded
in Book " of Orders, Page

Joel W. Finkbeiner
Clerk of Probate.

No. 3541*

00583010

State of Minnesota, } ss.
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels,
Decedent.

LETTERS TESTAMENTARY

Decedent died on October 2nd, 1962

To Mathilda Schreifels Huberty

GREETING:

Whereas, You have been appointed executrix of the last will and testament of the above named decedent, by the order of this court, and have duly qualified as such:

Now Therefore, Reposing full faith and trust in your competency, ability and integrity, these letters testamentary are issued to you by the court, authorizing you to execute and carry into effect the said will of said decedent, according to the true intent thereof, and granting unto you all the powers, duties and responsibilities incident to said trust, in substance as follows, to-wit:

FIRST—To take possession of all the estate of said decedent, both real and personal, excepting that which may be set aside by the court for the surviving spouse or children of said decedent; to collect and receive all the rents, issues, increase and profits of said estate; to demand, receive, collect, sue for and recover all the debts, claims, rights, and choses in action, which to said decedent at the time of her death did belong; and, in within one month from the date hereof, to make and file in this court a true, verified, inventory of all the estate of said decedent, and cause the same to be appraised according to law.

SECOND—To manage, care for, and administer the said estate, to the end that the same may be preserved, kept, and increased, in the most economical and efficient manner; and to keep in good condition of repair all the buildings and improvements on the real estate of decedent.

THIRD—To cause to be paid, according to the provisions of said will as far as possible, and where not possible, then according to law, out of the personal estate of decedent if the same be sufficient therefor, and if not sufficient, then out of the real estate of decedent to be sold under the order of this court, the following charges, demands, and debts, in the order following, to-wit: the expenses of the administration of said estate; the expenses of the funeral of said decedent; the expenses of the last sickness of said decedent; all the debts of decedent having preference under the laws of the United States; all taxes that shall be legally levied upon the estate of decedent; all other debts of decedent due to her creditors that shall be duly proved and allowed by the court, if said estate be sufficient therefor, otherwise to pay the same pro rata; all legacies given and provided by said will of decedent, if her said estate be sufficient therefor.

FOURTH—To make and file in this court, whenever requested by the court so to do, and at the completion of said trust, full and true accounts, with itemized statements, under oath, of all said estate and the increase thereof, that shall come into your hands, and of all disbursements made by you and of all the residue that remains in your hands, together with the value and condition thereof; and, at the completion of said trust, to turn over all the residue of said estate in your hands to those declared thereunto entitled by the court.

Witness, The Judge of this Court, and the seal thereof, this 15th day of

November, 1962

John Long
Probate Judge.



State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilla Schreiefels,
Decedent.

LETTERS TESTAMENTARY
(LONG FORM)

Filed this 15th day of

November, 1962, and Recorded

in Book "0" of Letters, Page 326

Doyle H. Hulbert
Clerk-Judge of Probate Court.

1

Not Seal

State of Minnesota,

County of

ss.

IN PROBATE COURT

I, _____, Judge of the Probate Court, in and for said County, and State aforesaid, do hereby certify that I have compared the within and foregoing paper writing with the original Letters Testamentary in the matter therein entitled, now remaining of record in my office, and that the same is a true and correct copy of said original, and the whole thereof.

WITNESS, my hand and seal of said Court, at _____ day of _____, A. D. 19 _____

Probate Judge.

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

KANSAS CITY · CHICAGO · SIOUX FALLS · DALLAS

BOND AND OATH OF ADMINISTRATOR, EXECUTOR AND GUARDIAN, INCLUDING SALE OF REAL ESTATE

STATE OF MINNESOTA }
County of Stearns } ss IN PROBATE COURT

In the Matter of the Estate of OTTILIA SCHREIFELS

☐ Minor ☐ Incompetent ☒ Deceased

KNOW ALL MEN BY THESE PRESENTS:

BOND No. 22-FID-10670

That we, Mathilda Schreifels Huberty, as Principal, and the WESTERN SURETY COMPANY, a corporation organized under the laws of the State of South Dakota and holding the certificate of the Insurance Commissioner of the State of Minnesota showing that it is authorized to contract as Surety upon bonds in said State of Minnesota, as Surety, are held and firmly bound unto John Lang

as Judge of Probate of the County of Stearns, Minnesota, in the sum of

One Thousand and no/100 - - - - - (\$ 1,000.00) DOLLARS,

(NOT VALID IF FILLED IN FOR MORE THAN \$500,000.00)

lawful money of the United States, to be paid to said Judge of Probate, or his successor in office; for which payment well and truly to be made, we bind ourselves and each of our heirs, executors, administrators, successors, and assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bounden Principal, who has been appointed representative of the estate of the above named Ottilia Schreifels, shall well and faithfully discharge all the duties of his trust as representative of said estate according to law, then this obligation shall be void, otherwise it shall remain in full force and virtue.

IN WITNESS WHEREOF, Said Principal has hereunto affixed his hand and seal; and the said Surety has caused these presents to be signed by its Asst. Secretary and its corporate seal to be hereto attached by authority of its Board of Directors, this

14th day of November, 1962

Signed, Sealed and Delivered in Presence of

Mathilda Schreifels Huberty
Leo Huberty

Mathilda Schreifels Huberty
Principal

Countersigned

By

Minnesota Resident Agent

WESTERN SURETY COMPANY

By

D. Christensen Asst. Secy.

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF MINNESOTA

County of Meeker } ss

On this 14th day of November, 1962, before me personally appeared Mathilda Schreifels Huberty, to me well known to be the person who executed the foregoing bond as Principal, and acknowledged that he executed the same for the uses and purposes herein expressed as his free act and deed.

My Commission Expires

May 30th, 1968

Notary Public, Meeker

County, Minnesota

STATE OF SOUTH DAKOTA

ACKNOWLEDGMENT OF SURETY (Corporate Officer)

County of Minnehaha } ss

On this 14th day of November, 1962, before me appeared D. Christensen Asst. Secy.

to me personally known, who being by me duly sworn, did say that he is the aforesaid officer of the WESTERN SURETY COMPANY, a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was executed in behalf of said corporation by the aforesaid officer, by authority of its Board of Directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires

7-31, 1966

Notary Public, Minnehaha County, South Dakota

OATH OF REPRESENTATIVE

STATE OF MINNESOTA

County of Meeker } ss

I, Mathilda Schreifels Huberty do swear that I will faithfully and justly perform all the duties of the office and trust which I now assume as Executrix of the Estate of the above named Ottilia Schreifels to the best of my ability and according to law, so help me God.

Subscribed and sworn to before me this 14th day of November, 1962

My Commission Expires

May 30th, 1968.

N. H. Ley

Notary Public,

Meeker

County, Minnesota

APPROVAL

I hereby approve the within Bond and the Surety thereon, this 15th day of November, 1962

John Long
Probate Judge

19,434

WESTERN SURETY COMPANY

One of American Surety Companies
KANSAS CITY • CHICAGO • ST. LOUIS • ST. PAUL

STATE OF MINNESOTA

County of Stearns

PROBATE COURT

BOND AND OATH OF
ADMINISTRATOR,
EXECUTOR AND
GUARDIAN,

Including Sale of Real Estate

In the Matter of the Estate of

Ottilia Schreifels

Filed the 15th day of
November, 1962, and said
bond recorded in Book of

Bonds, page of Probate
Records.

Clerk

☒ Clerk ☐ Judge of Probate

00583014

Minnesota

This Bond is in addition to Bond No. 22-FID-10670

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

KANSAS CITY · CHICAGO · SIOUX FALLS · DALLAS

BOND AND OATH OF ADMINISTRATOR, EXECUTOR AND GUARDIAN, INCLUDING SALE OF REAL ESTATE

STATE OF MINNESOTA }
County of Stearns } ss IN PROBATE COURT

In the Matter of the Estate of OTTILIA SCHREIFELS
☐ Minor ☐ Incompetent ☒ Deceased

KNOW ALL MEN BY THESE PRESENTS:

BOND No. 22-FID-10672

That we, Mathilda Schreifels Huberty, as Principal,
and the WESTERN SURETY COMPANY, a corporation organized under the laws of the State of South
Dakota and holding the certificate of the Insurance Commissioner of the State of Minnesota showing
that it is authorized to contract as Surety upon bonds in said State of Minnesota, as Surety, are held
and firmly bound unto John Lang

as Judge of Probate of the County of Stearns, Minnesota, in the sum of
One Thousand and no/100 - - - - - (\$ 1,000.00) DOLLARS,

(NOT VALID IF FILLED IN FOR MORE THAN \$500,000.00)

lawful money of the United States, to be paid to said Judge of Probate, or his successor in office;
for which payment well and truly to be made, we bind ourselves and each of our heirs, executors,
administrators, successors, and assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bounden Principal, who
has been appointed representative of the estate of the above named Ottilia Schreifels,
shall well and faithfully discharge all the duties of his trust as representative of said estate according
to law, then this obligation shall be void, otherwise it shall remain in full force and virtue.

IN WITNESS WHEREOF, Said Principal has hereunto affixed his hand and seal; and the said
Surety has caused these presents to be signed by its Asst. Secretary
and its corporate seal to be hereto attached by authority of its Board of Directors, this

25th day of January, 19 63.

Signed, Sealed and Delivered in Presence of

Mathilda Schreifels Huberty Principal
Mayne Walters Principal

Countersigned

By

Minnesota Resident Agent

WESTERN SURETY COMPANY

By

D. Christensen Asst. Secy.

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF MINNESOTA }
County of Meeker } ss

On this 25th day of January, 19 63, before me personally
appeared Mathilda Schreifels Huberty, to me well known
to be the person who executed the foregoing bond as Principal, and acknowledged that he executed the
same for the uses and purposes herein expressed as his free act and deed.

My Commission Expires

May 30th

19 68

Notary Public, Meeker

County, Minnesota

STATE OF SOUTH DAKOTA }
County of Minnehaha } ss

ACKNOWLEDGMENT OF SURETY (Corporate Officer)

On this 25th day of January, 19 63, before me
appeared D. Christensen Asst. Secy.
to me personally known, who being by me duly sworn, did say that he is the aforesaid officer of the
WESTERN SURETY COMPANY, a corporation; that the seal affixed to the foregoing instrument is
the corporate seal of said corporation, and that said instrument was executed in behalf of said corporation
by the aforesaid officer, by authority of its Board of Directors; and the aforesaid officer acknowledged
said instrument to be the free act and deed of said corporation.

My Commission Expires

7-31, 1966

N. Dibble
Notary Public, Minnehaha County, South Dakota

OATH OF REPRESENTATIVE

STATE OF MINNESOTA

County of Meeker

I, Mathilda Schreifels Huberty do swear that I will faithfully and justly perform all the duties of the office and trust which I now assume as Executrix of the Estate of the above named Ottilla Schreifels to the best of my ability and according to law, so help me God.

Subscribed and sworn to before me this 25th day of January, 1963.

My Commission Expires

May 30th, 1968

N. H. Ley

Notary Public, Meeker County, Minnesota

APPROVAL

I hereby approve the within Bond and the Surety thereon, this 30th day of January, 1963.

John Long
Probate Judge

19,434

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies
KANSAS CITY CHICAGO ROCK FALLS DALLAS

STATE OF MINNESOTA

County of Stearns

PROBATE COURT

ADDITIONAL
BOND AND OATH OF
ADMINISTRATOR,
EXECUTOR AND
GUARDIAN,

Including Sale of Real Estate

In the Matter of the Estate of

Ottilla Schreifels

Filed the 30th day of
January, 1963, and said
bond recorded in Book of

Bonds, page
Records. of Probate

Clerk

Josephine Hupshover
Clerk ☐ Judge of Probate

00583016

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels,
Decedent.

Order Appointing Appraisers

On all the files, records, and proceedings in said estate

It is ordered that Roman Dockendorf and
John Kinzer

be and they are hereby appointed appraisers, to appraise upon oath the estate of the said decedent according to law.

Dated this 9th day of November, 1962.

(PROBATE COURT SEAL)

John Long
Probate Judge.

00583017

No. 19,434

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels,
Decedent.

Order Appointing Appraisers

Filed November 9th, 19 62

Josephine Kuchner
Probate ~~Judge~~ Clerk.

No. 357914*

005883048

State of Minnesota,
County of Stearns

IN PROBATE COURT

File No. 19,434

IN THE MATTER OF THE ESTATE OF

INVENTORY AND APPRAISAL

Ottilia Schreifels

Decedent

Date of Death October 2, 1962

OATH OF APPRAISERS

State of Minnesota,

ss.

County of StearnsI, John J. Kinzer, andRonan Rockendorf

do solemnly swear that I will honestly, faithfully and impartially perform all the duties of the office and trust which I now assume as appraiser of the estate of

Ottilia Schreifels

decendent to the best of my ability, So Help Me God.

Subscribed and sworn to before me this

8th day of December, 1962Notary Public, Stearns County, Minn.My commission expires October 29, 1964(SEAL) Julia Stein

John J. Kinzer
Ronan Rockendorf

INVENTORY AND APPRAISAL

The undersigned representative of the estate of the above named decedent, represent 3 and show 5 to the court—

That the following is a true and correct inventory of all the property of the above named estate, both real and personal, which has come into her possession and of which she has knowledge after diligent search and inquiry concerning the same, classified as follows, to-wit:

CLASS I—Real Estate:

(a) The homestead of decedent, being in the County of <u>Stearns</u> , State of Minnesota, consisting of <u>one-fourth</u> acres in area described as follows, to-wit: (give acreage)	Specify Encumbrances and Respective Amounts	Net Value Over Encumbrances
Lot number four (4) in block number fourteen (14) in the Village of Cold Spring, being in Muggli's Subdivision of said block fourteen (14) according to the plat and survey thereof as on file and of record in the office of the Register of Deeds in and for said Stearns County, Minnesota.	Old Age Assistance Lien - \$3949.90	\$ 2,550.10
(b) All other real estate of decedent being in the County of _____, State of Minnesota, described as follows, to-wit: NONE		\$ _____

FORWARDED

VERIFICATION

State of Minnesota, } ss. Mathilda Schreifels Huberty
 County of Stearns }

being duly sworn, on oath say that she is the representative of the estate above specified; that she has read the foregoing inventory subscribed by her and knows the contents thereof and that the same is a true and correct inventory of all of the estate of the decedent that has come to her possession or knowledge.

Subscribed and sworn to before me this
 16th day of November, A. D. 1962
 JULIA STEIN
 Notary Public, Stearns County, Minn.
 My commission expires October 22, 1964

X Mathilda Schreifels Huberty
 Representative

CERTIFICATE OF APPRAISERS

State of Minnesota, }
 County of Stearns }
 the Probate Court of Stearns County, Minnesota, to appraise the estate of
 Ottilia Schreifels, Decedent, having first duly taken and subscribed the
 oath prescribed by law and hereto annexed, hereby certify and return, that we have carefully examined and considered
 the inventory of said estate delivered to us by the representative of said estate and the property therein described, and
 have faithfully and impartially and to the best of our knowledge and ability, appraised the said property, and set
 down opposite each item thereof in figures the value thereof in money, and have footed up by itself the amount and
 value of each class of said property, and of the whole of said estate.

Dated this 8th day of December, A. D. 1962

John J. Kinzer
 John J. Kinzer
 Roman Bockendorf
 Roman Bockendorf Appraisers

File No. 10,434

State of Minnesota,
 County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels Decedent

Inventory and Appraisal

Total Personal	\$ 210.00
Total Real Estate	\$ 2550.10
Total Appraisal	\$ 2750.10

Due service of the within inventory and appraisal is hereby admitted this day of 19

Deputy-Treasurer of
 County, Minnesota

Filed this 13th day of
 December, A. D. 1962

Russell E. Willenbring
 Attorney's

No. 10434

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

In the Matter of the Estate of

Orillia Schreifels

Ward - Decedent.

Petition of Representative for Order to Sell,
Mortgage or Lease Land

Your Petitioner respectfully represents and shows to the Court:

1. That he is the representative of the estate above named.

2. That the bond filed by her herein as such representative, pursuant to order of this Court is
in the penal sum of \$1,000.00

3. That there remains in his hands undisposed of personal property of the estimated value of \$

4. That the debts and charges against said estate remaining unpaid to the best knowledge and information of your
petitioner are approximately as follows, to-wit:

Family allowances	- - - - -	\$
Expenses of Administration	- - - - -	\$
Funeral expenses	- - - - -	\$
Expenses of last sickness	- - - - -	\$
Taxes	- - - - -	\$
Claims of creditors allowed by Court	- - - - -	\$
Legacies	- - - - -	\$
TOTAL debts and charges remaining unpaid	- - - - -	\$

5. That your petitioner desires to the real property of said estate
described, and of the appraised value, as follows, to-wit:

Value as Fixed
by Appraisers

(a) The homestead of decedent, being in the County of Stearns

State of Minnesota, described as follows, to-wit:

Lot number four (4) in block number fourteen (14) in the
Village of Cold Spring, being in Muggli's Subdivision of
said block fourteen (14) according to the plat and survey
thereof as on file and of record in the office of the
Register of Deeds in and for said Stearns County, Minnesota. \$ 6,500.00
Less encumbrance..... 3,949.90
Net....\$ 2,550.10

\$

Value as Fixed
by Appraisers

(b) Other real estate of decedent being in the County of _____
State of Minnesota, described as follows, to-wit:

None

\$.....

00583024

State of Minnesota.

County of Stearns

Mathilda Schreiffels Huberty

being duly sworn, on oath says that he is the person who made and signed the foregoing petition; that he has read the same and knows the contents thereof, and that the same is true of ^{her} his own knowledge, except as to those matters therein stated on information and belief, and as to those matters he believes it to be true.

Mathilda Schreiffels Huberty

Subscribed and sworn to before me this 12th
day of December 19 62

Julia Stein Notary Public
JULIA STEIN Stearns County, Minnesota

My Commission expires October 29, 1964

CONSENT TO _____ OF REAL ESTATE

We, the undersigned, being _____
_____ the persons who take an interest in the real estate described in the foregoing petition do hereby consent to the _____
of said real estate and request the Court to authorize and direct the representative of said estate _____
_____ said real estate as prayed for in said petition.

*Strike out (a) if it does not apply.

**Note if petition is to mortgage, add "in the amount of \$ _____ said amount not to bear interest at a rate to exceed the maximum of _____ per cent per annum." If petition is to sell add "at private sale" or "at public auction" as the case may require.

If sale or mortgage of the homestead is petitioned for, consent of the spouse must be obtained. If homestead is to be mortgaged for more than encumbrances and statutory liens allowed, consent of all persons must be obtained.

State of Minnesota.

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Mathilda Schreiffels Huberty Decedent.

Petition for Order to Sell,
Mortgage or Lease Land

Filed this 13th day of
December 1962

Joseph H. Henshaw
Probate Judge Clerk.

No. 1862

PRINTER'S AFFIDAVIT OF PUBLICATION

Printer's Affidavit of Publication. (Mason's Minn. Statutes, 1927, Chaps. 10935, 10936, as amended by Chap. 273, G. L. 1933, as amended by L. 1935, C. 166.)

STATE OF MINNESOTA.
County of Stearns.

I, Paul A. Honer, being duly sworn, on oath says; that he is, and during all the times herein stated has been the publisher of the newspaper known as COLD SPRING RECORD, and has full knowledge of the facts hereinafter stated; that for more than one year

prior to the publication therein of the

Order for Hearing Petition To Sell Realty, Re Estate
of Ottilia Schreifels, Decedent

STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT
File No. 19434

Re Estate of

Ottilia Schreifels, Decedent.

IT IS ORDERED that the petition filed herein to sell realty be heard on Friday, January 11th, 1963, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

Dated this 13th day of December, 1962.

(Seal)

RUSSELL & WILLENBRING,
Attorneys.

JOHN LANG

Probate Judge.

Pub. Dec. 20, 27, Jan. 3

hereinafter described, said newspaper was printed and published in the Village of Cold Spring, in the County of Stearns, State of Minnesota, on Thursday of each week; that during all said time said newspaper has been printed in the English language from its known office of publication within the Village from which it purports to be issued as above stated in column and sheet form equivalent in space to at least 450 running inches of singlecolumn, two inches wide; has been issued once each week from a known office established in said place of publication and equipped with skilled workmen and the necessary material for preparing and printing the same; that during all said time in its makeup-not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that during all said time it has not wholly duplicated any other publication, and has not been entirely made up of patents, place matter and advertisements; has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and has entry as second class matter in its local post-office; and that there has been on file in the office of the County Auditor of Stearns County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the Probate Notice

hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English language, one each week

for three (3) successive weeks; that it was first so published

on Thursday, the 20 day of Dec., 19 62, and thereafter on Thursday of each week to and including the

3rd day of Jan., 1963; and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

Subscribed and sworn to before me this 11th day of

January, 19 63.

Julia Stein
Notary Public, Stearns County, Minn.

My Commission expires October 29, 19 64.

00583027

19434

STATE OF MINNESOTA
County of Stevens }

PROBATE COURT

In the Matter of the Estate of

Attie Schmitt

Decedent, et al.

FILED THE 11th DAY OF January 1963
Charles H. Johnson
CLERK OF PROBATE

State of Minnesota,

County of

Stearns

}

IN PROBATE COURT

In the Matter of the Estate of

Ottilia Schreifels

Decedent—XXXXX

Oath of Appraisers and Appraisal
of Lands Under Order For Sale

OATH OF APPRAISERS

State of Minnesota,

County of

Stearns

I,

John J. Kinzer

and I,

Roman Dockendorf

do swear that I will faithfully

and justly perform all the duties of the office and trust which I now assume as appraiser of the lands of the above named

Ottilia Schreifels

under and pursuant to that certain order

for sale of said lands at private sale, made by the above named Court on the 11th day of

January

19⁶³

, and that I will appraise the said land described in said order for sale at its true

and full value, So Help Me God.

Subscribed and sworn to before me this

25th day of January

19 63

Julia Stein

Notary Public.

Stearns

County, Minn.

My Commission Expires October 29, 19 64

APPRAISAL

We, the undersigned appraisers appointed by the above named Court in and by its certain order for sale to

Mathilda Schreifels Huberty

to sell certain lands belonging to the

above named

Ottilia Schreifels, deceased

, dated the

11th

day of

January

19⁶³

, do hereby certify and report:

That we did first and before making said appraisal take and subscribe the foregoing oath as by law required and there-
after did appraise at their true and full value in cash those certain tracts or parcels of land lying and being in the County of

Stearns

State of Minnesota, described in said order for sale, as follows, to-wit:

Lot numbered Four (4) in Anton Muggli's Subdivision of Block numbered Fourteen (14) in the Townsite (now village) of Cold Spring, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for Stearns County, Minnesota.

\$ 5,000⁰⁰

005883029

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Ottilia Schreifels

Decedent ~~XXXX~~**OATH OF APPRAISERS AND AP-
PRaisal OF LANDS UNDER
ORDER FOR SALE**Filed this 30th day of
January, 1963.*Loislyn H. Hathaway*
Probate Judge - Clerk.

No. 8600*

and did set after and opposite each description of said lands its true and full value as by us determined and appraised.

Dated

January 25 19 63

Respectfully submitted,

John J. Ringer
Roman Klockner
Appraisers.

State of Minnesota,

County of Stearns

IN PROBATE COURT

File No. 19,434

In the Matter of the Estate of
Ottilia Schreifels,

Decedent.

Order For Sale of Real Estate
At Private Sale

The above entitled matter came on to be heard by the Court on the 11th day of
January, 1933, upon the petition of Mathilda Schreifels Huberty

as representative in the above entitled matter,
praying for an order to sell certain real estate described in said petition; and the Court having heard the said petition and all
the evidence adduced in support thereof, and having duly considered the same and examined the files and records in said
matter, finds the following facts:

FIRST—That notice of said hearing has been given and served as required by law and the order of this Court for said
hearing.

SECOND—That the said representative appeared at said hearing in person and by attorney Russell & Willenbring
and was duly examined relative to said matter by the Court and
that no one appeared in opposition to said petition.

THIRD—That it would be for the best interest of said estate and the persons interested therein that the property here-
inafter described, be sold.

It is Therefore Ordered, FIRST—That the said representative of said estate be, and hereby is, authorized and
directed to sell at private sale the real estate hereinafter described, situate and being in the County of
Stearns, State of Minnesota, to-wit:

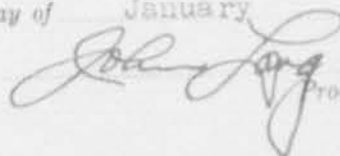
HOMESTEAD OF DECEDENT.
Lot number Four (4) in Block number Fourteen (14) in the Village of
Cold Spring, being in Muggli's Subdivision of said block fourteen (14)
according to the plat and survey thereof as on file and of record in
the Office of the Register of Deeds in and for said Stearns County,
Minnesota.

SECOND—That the general bond of said representative is not sufficient and that before making sale of said real estate, or any part thereof, the said representative execute and file in this court a bond, with sufficient sureties, to the Judge of this Court, and his successors in office, in the penal sum of One Thousand and no/100 - - - (\$1,000.00) - - - - - Dollars, conditioned as required by law in such cases, and cause the said real estate to be re-appraised by John J. Kinzer and Roman Dockendorf competent persons to make said appraisal, who are hereby appointed by this court to make such re-appraisement upon their qualifying according to law. (1)

THIRD—That the said representative shall not sell said real estate, or any part thereof, for less than its full appraised value as fixed and determined by the appraisers herein appointed to appraise the same; and shall not, directly or indirectly, purchase or be interested in the purchase of any part of the said real estate so to be sold; and that upon the sale of said real estate, or any part thereof, the said representative shall make report of all the proceedings therein to this court.

Dated at St. Cloud, Minnesota, this 11th day of January, 1963.

Probate Court
Seal


Probate Judge.

State of Minnesota, } ss. PROBATE COURT
County of _____

I, _____ of the Probate Court, within and for said County, and Custodian of the Seal and Records of said Court do hereby certify that I have compared the foregoing copy of Order for Sale of Real Estate at Private Sale with the original record thereof preserved in this office and have found the same to be a correct transcript of the whole thereof.



In Testimony Whereof, I have hereunto subscribed my name and affixed the Seal of said Court, at _____ in said County, this _____ day of _____, 19____.

of the Probate Court.

Note 1. Strike that part relating to bond if present bond is sufficient, (after "representative" to "cause.")

File No. 19,434
State of Minnesota, } ss.
County of Stearns

PROBATE COURT

In the Matter of the Estate of

Ottillia Schreifels,
Decedent.

Order For Sale of Real Estate
at Private Sale

Office of Register of Deeds,
State of Minnesota.

County of _____
I hereby certify that the within Instru-
ment was filed in this office for record on
the _____ day of _____, M.,
19____, at _____ o'clock
and was duly recorded in Book _____
of _____, page _____.

By _____
Register of Deeds,
Deputy.

Filed this 11th day of January,
1963, and recorded in Book 98
of Orders, Page 695


Probate Clerk.

No. 2011*

00583032

State of Minnesota,

County of Stearns

IN PROBATE COURT,

In the Matter of the Estate of

Ottilia Schreifels

Decedent—Ward

REPORT OF SALE OF LAND AT PRIVATE
SALE UNDER ORDER FOR SALE.

Your petitioner respectfully reports to the court his proceedings under that certain order for sale granted to him in the ~~her~~ entitled matter on the 11th day of January, 1963, to sell at private sale the lands of said Ottilia Schreifels hereinafter described, as follows, to-wit:

First—That before making sale of the real estate hereinafter described under said order for sale, he executed and filed in this court ~~his~~ bond required by the said order for sale.

Second—That before making sale of said real estate under said order for sale, he caused the same to be re-appraised by John J. Kinzer and Roman Dockendorf, the appraisers appointed in said order for sale to appraise the same, and the appraisal thereof to be filed in this court (1)

Third—That on the 26th day of January, 1963, he, pursuant to said order for sale, sold to Frank J. Theis of Wakefield Township, Stearns County, Minnesota the tract or parcel of land, described in said order for sale, and lying and being in the County of Stearns, State of Minnesota, described as follows, to-wit:

Lot numbered Four (4) in Anton Muggli's Subdivision of Block numbered Fourteen (14) in the Townsite (now village) of Cold Spring, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for Stearns County, Minnesota.

for the sum of Five Thousand and no/100-----(\$5,000.00)-----Dollars,

005803033

to be paid as follows, to-wit: cash upon delivery of probate deed and abstract of title

Fourth—That your petitioner was in no way, directly or indirectly, interested in the purchase of said real estate, or any part thereof; and that the said sale thereof was fairly and honestly made, and that said sum for which the same was sold is not disproportionate to the value thereof, and is not less than the value thereof as re-appraised by said appraisers appointed for that purpose in said order of sale.

WHEREFORE YOUR PETITIONER PRAYS, that the said sale of said real estate hereinbefore described be confirmed by this court; and that your petitioner be authorized and empowered to execute and deliver to the said purchaser thereof a good and sufficient Deed of conveyance thereof to said purchaser upon a compliance by him of the terms of said sale.

Dated January 26, 19 63

X Mathilda Schreifels Huberty
Representative and Petitioner.

State of Minnesota,

County of Stearns

ss.

Mathilda Schreifels Huberty

being duly sworn, on oath says; that she is the person who made and signed the foregoing report and petition; that she has read the said report and petition and knows the contents thereof; that the said report and petition is true of her own knowledge, except as to those matters therein stated on information and belief, and as to those matters she believes it to be true.

X Mathilda Schreifels Huberty

Subscribed and sworn to before me this

26th day of January, 19 63

J. G. Willenbring

Notary Public.

Stearns County, Minn.

My commission expires September 29, 19 64.

NOTE (1) If further notice of sale is required, here insert compliance therewith.

19,434

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Ortilia Schreifels

Decedent—W.D.D.

Report of Sale of Land at Private
Sale Under Order for Sale

Filed this 30th day of
January, A. D. 19 63

Josephine Schubert
Probate Clerk.

No. 2641*

00588034

State of Minnesota,

County of Stearns

IN PROBATE COURT

File No. 19,434

In the Matter of the Estate of
Ottillia Schreifels,

Decedent.

Order Confirming Private Sale
of Real Estate

The above entitled matter came on to be heard on the 30th day of
January, 19 63, upon the report of Mathilda Schreifels Huberty

as representative in the above entitled matter of the sale of
certain real estate pursuant to the order of this court for sale thereof granted therefor, and on petition for the confirmation of
said sale; and the court having considered the said report, and having been advised relative to the same, and having examined
the files and records in said matter, finds herein the following facts, to-wit:

FIRST—That pursuant to a petition duly made and filed in this court, and the order of this court duly issued for hear-
ing on said petition, and notice of said hearing duly given as provided by law, and a hearing duly had by this court on said
petition, an order for sale in said above entitled matter was duly made and filed in this court whereby the said representative
of said estate was authorized and directed to sell at private sale the real estate hereinafter described.

SECOND—That pursuant to said order for sale, the said representative before making the sale of real estate specified
in said report and hereinafter referred to, complied with all the conditions and provisions in said order contained.

THIRD—That the said representative, before making said sale, did cause the real estate hereinafter and in said order
for sale described to be re-appraised by the persons appointed for that purpose in said order for sale, and their re-appraisal
thereof to be filed in this court

FOURTH—That on the 26th day of January, 19 63, the
said representative, pursuant to said order for sale, did sell, at private sale, to Frank J. Theis
of Wakefield Township, Stearns County, Minnesota
for the sum of Five Thousand and no/100 - - - - - DOLLARS,
the tract of land, described in said order for sale, lying and being in the County of Stearns
State of Minnesota, described as follows, to-wit:

Lot numbered Four (4) in Anton Muggli's Subdivision of Block numbered
Fourteen (14) in the Townsite (now Village) of Cold Spring, according
to the plat and survey thereof on file and of record in the Office of
the Register of Deeds in and for Stearns County, Minnesota.

To be paid for in cash upon delivery of probate deed and abstract of title.

FIFTH—That the sum... for which said land WAS so sold is not disproportionate to the value thereof, nor less than the value thereof as appraised by said appraisers appointed by this court to appraise the same, and said sale was honestly and fairly made, and that said representative of said estate was not a purchaser at said sale, and was not interested, directly or indirectly, in the purchase of said real estate at said sale thereof.

It is Therefore Ordered. That said sale... be, and the same hereby is in all things confirmed; and that the said representative of said estate be, and she hereby is, authorized and directed to execute and deliver to said purchaser good and sufficient deed of conveyance, upon compliance by him with the terms of said sale.

Dated at St. Cloud, Minnesota, this 30th day of January, 1963

Probate Court Seal

John Lang
Probate Judge.

State of Minnesota,

PROBATE COURT

County of

I, _____ of the Probate Court, within and for said County, and Custodian of the Seal and Records of said Court, do hereby certify that I have compared the foregoing copy of Order Confirming Private Sale of Real Estate with the original record thereof preserved in this office and have found the same to be a correct transcript of the whole thereof.



In Testimony Whereof, I have hereunto subscribed my name and affixed the Seal of said Court, at _____ in said County, this _____ day of _____, 19____

_____ of the Probate Court.

File No. 19,434

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Ottillia Schreiffels,
Decedent.

Order Confirming Private Sale
of Real Estate

Office of Register of Deeds,

State of Minnesota,

County of _____
I hereby certify that the within Instrument was filed in this office for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and was duly recorded in Book _____ of _____, page _____.

Register of Deeds,

Deputy.

By _____

Filed this 30th day of January, 1963, and recorded in Book 105 of Orders, Page 506

Roselyn Hughes
Probate Judge Clerk.

No. 3874

00583036

SCHEDULE I — PROPERTY HELD IN JOINT TENANCY

All property of whatever kind, whether real estate, personal property, bank accounts, U. S. Savings Bonds, etc., in which the decedent held an interest at the time of his death as a joint tenant or as co-owner with right of survivorship, must be disclosed in this schedule.

Claims of consideration furnished by the survivor, or claims of creation of the joint tenancy by gift or inheritance must be stated in an affidavit giving verifiable details showing the source, nature, amount and

proportion of the survivors contribution. Exhibits submitted to prove claim will be returned upon request. The homestead of decedent, if included in any of the schedules, must be identified before the exemption in favor of spouse or minor or dependent children can be allowed. Excess homestead area, if any, must be separately described and valued.

Please group all properties transferred to each surviving joint tenant.

Date of Transfer to Joint Tenancy	Description of Property (Legal description of Land; Street Address of City Realty; Acreage of Rural Land); Specify Liens, if any.	Surviving Joint Tenant Give Name and Relationship to Decedent	Assessor's Full and True Value of Realty Or Unit Value of Securities On Date of Death	Gross Market Value of Whole Property
SAMPLE: 6-21-41	Lot 1, blk. 1, Lief's Add. to St. Paul, Ramsey Co., Minn., 6900 Montclair Rd. St. Paul Homestead. Mortgage, \$1,000.00	Mary Doe, wife	\$2,455.00	\$4,000.00
7-5-42	100 shares General Motors Co., common \$100 par Certificate No. 1392816	John Doe, son	N. Y. S. E. 75 1/4	\$7,550.00
	None			

Total (Col. 5.) - - - - -
Less Liens (Col. 2.) - - - - -
Net - - - - -

SCHEDULE II—INSURANCE

Report all life and accident insurance proceeds payable on the death of the decedent to named beneficiaries.

SCHEDULE III — ANNUITIES, DEPOSITS, ETC.

Report all other types of contracts with insurance companies, or others, transferred or payable on decedent's death, including the following: annuities, pensions and retirement funds; supplemental contracts or deposits (which may be proceeds of insurance policies or an-

nunities received from a prior decedent or matured endowment policies, etc.); and cash value of insurance policies on life of another which may have been assigned to this decedent. (None of these are subject to the life insurance exemption.)

SCHEDULE IV — TRANSFERS BY THE DECEDENT

(If any transfer is considered not taxable, so designate. Otherwise designate whether transfer is taxable under A, B or C.)

- A. Transfers in contemplation of death:
Report transfers or gifts by decedent before his death, which are in the nature of a final disposition in anticipation of death. It is presumed that a transfer of a material portion of decedent's property within two years prior to death is made in contemplation of death.
Report gifts made by decedent during his lifetime which total more than \$2,500 to one donee in any year.
- B. Transfers intended to take effect in possession or enjoyment at death:
Report transfers of property by deed, trust, or agreement in which the decedent had retained a life estate, or all or part of the income for life, or a power of revocation.
Report transfers in which the beneficiary's possession or enjoyment takes effect at or after decedent's death or in which the

deed or instrument of title is delivered or recorded at or after decedent's death.

NOTE: Under both A. and B. copies of trust instruments must be attached to the return as exhibits. If it is claimed that any transfer is non-taxable, detailed verified statements of the claim must be attached.

- C. **Powers of Appointment:**
Report the property in respect to which the decedent held a power of appointment at any time. Attach a copy of the instrument granting the power of appointment to the decedent and a schedule of the assets subject to the power at date of death.
Did the decedent exercise the power? _____
Attach a copy of the instrument exercising the power unless it is a will previously filed for probate. If the power had been relinquished by decedent, attach a copy of the instrument.

(LIST TRANSFERS ON NEXT PAGE)

SCHEDULE IV — TRANSFERS BY THE DECEDENT (Continued)

(If any transfer is considered not taxable, so designate. Otherwise designate whether transfer is taxable under A, B, or C.)

Date of Transfer	Description of Property Transferred (Legal Description of land; Street Address or City Realty; Acreage of Rural Land). Specify Liens, if any.	Transferee and Relationship to Decedent	Assessor's Full and True Value of Realty Or Unit Value of Securities on Date of Death	Gross Fair Market Value
	None			
Total (Col. 5)				- - - - -
Less liens (Col. 2)				- - - - -
Net				- - - - -

SCHEDULE V — MISCELLANEOUS

Report the transfer of any property belonging to the decedent which has not been included in a Minnesota probate proceeding and has not been otherwise reported in Schedules I to IV of this return. (In the event of no probate, this schedule may include automobiles, household goods, personal effects, U. S. Postal Savings, U. S. Savings Bonds and other tangible or intangible personal property, if any.)

Description of Property (Specify Liens, if any)	Transferee, Heir or Beneficiary Relationship to Decedent	Full and Fair Market Value on Date of Death	Net Value After Liens
None			

I, Mathilde Schreifels Huberty

the executOR /administratOR /transferee, custodian or trustee of the estate of the above named decedent do hereby swear that I have carefully examined the foregoing return, including the separate sheets attached, if any, and that to the best of my knowledge, informa-

tion and belief, herein is listed all of the property required by law to be included in said return; that all questions have been truly answered; that I have no knowledge of any transfers required to be included in this return except as stated; and that to the best of my knowledge, information and belief the values shown in the foregoing schedules are full and fair market values as of the date of the decedent's death.

(Signature) Mathilde Schreifels Huberty

(Address) P. O. #1, Watkins, Minnesota

Subscribed and sworn to before me this 17th day of November, 1962.

Julia Stein
Notary Public, County of Stearns

My commission expires October 29, 1964.

File No. 19,434

State of Minnesota,

County of Stearns

Re: Estate of

Ottilia Schreifels

Decedent

INHERITANCE TAX RETURN
DEPARTMENT OF TAXATION

Filed December 13th, 1962

Joseph H. Hansen
Clerk of Probate Court

Attorneys Russell & Willenbring

Address Cold Spring, Minnesota

State of Minnesota, } ss.
County of Stearns }

IN PROBATE COURT.

In the Matter of the Estate of
Ottilia Schreiefels,
Decedent.

ORDER ALLOWING FINAL ACCOUNT.

The above entitled matter came on to be heard on the 5th day of April, 1963, upon the petition of the representative of the above named estate praying for the allowance of her final account and for distribution of the residue of said estate.

The said representative appeared in person and by Attorneys, Russell & Willenbring, and no one appeared in opposition thereto.

The Court after due consideration of said petition, the evidence adduced in support thereof, and the files and records in said matter, finds the following facts:

First—That due notice of the said hearing of said petition has been given as required by law by the publication of the citation of this Court, for said hearing, dated the 12th day of March, 1963, in the Gold Spring Record. Proof of publication of said notice of hearing and affidavit of service by mail having been filed in this Court.

Second—That the said final account set forth in said petition has been examined, adjusted and settled by the Court, and as so adjusted and settled, is hereby found to be correct; a summary statement of which account is as follows, to-wit:

RECEIPTS

Personal estate as described in the inventory	\$ 210.00
Personal estate omitted from the inventory	\$
Gain by sales above appraised value	\$
Cash from sales of real estate	\$ 5,000.00
Cash from rent of real estate	\$
Cash from interest and profits	\$ 3.62
Cash from other sources	\$
Insurance premium refund	\$ 5.00
	\$
Total receipts from all sources	\$ 5,218.62

DISBURSEMENTS AND CREDITS

Estate selected for surviving spouse	\$
Maintenance of family of decedent	\$
Expenses of administration	\$ 393.69
Expenses of last sickness	\$
Funeral expenses	\$ 694.50
Taxes	\$ 171.53
Claims of creditors of decedent	\$ 3,958.90
Legacies	\$
	\$
	\$
Residue on hand for distribution	\$
Total credits	\$ 5,218.62

Third—That all taxes, including personal property taxes, assessed against said estate, have been paid so far as there were funds of said estate to pay the same.

Fourth—As a conclusion from the foregoing facts, IT IS HEREBY ORDERED, that said account, as adjusted by the court, be, and the same hereby is, settled and allowed as and for the final account of said representative of said estate.

Dated April 5th, 1963

By the Court,

John Long
Probate Judge

No. 19,434

State of Minnesota,

County of Stearns

PROBATE COURT.

In the Matter of the Estate of

Ottilia Schreifels, Decedent

Order Allowing Final Account.

Filed this 5th day of
April, 1963, and
recorded in Book No. of Orders,
on Page

Frederick H. H. H.
Clerk-Judge of Probate.

No. 3508

State of Minnesota, }
 County of Stearns } ss.

IN PROBATE COURT

File No. 19,434

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels,

Decedent.

Final Decree of Distribution

The above entitled matter came on to be heard on the 5th day of April, 1963, upon the petition of the representative of said estate for the distribution of the residue of said estate to the persons thereunto entitled.

The representative of said estate appeared in person and by attorney, S. Russell & Willenbring, and no one appeared in opposition thereto.

And the court having considered the evidence produced at said hearing, the arguments of counsel, and the files and records in said matter, finds the following facts:

FIRST—That notice of said hearing has been duly given and served as required by law and the order of this court for said hearing.

SECOND—That the said estate has been in all respects fully administered, and the expenses of the administration thereof and of the last sickness and burial of said decedent, and all claims allowed against said estate have been fully paid,

and that said representative has filed her final account herein which has been settled and allowed by the Court. That all inheritance taxes determined by the Court to be due the State of Minnesota have been paid.

THIRD—That said decedent died testate on the 2nd day of October, 1962, and at the time of her death decedent was a resident of the County of Stearns and State of Minnesota.

FOURTH—That the residue of the estate of said decedent for distribution consists of the following property, to-wit:

(A) Personal property of the value of \$_____comprising of the following items:

None

(B) Real property described as follows: The homestead of decedent situate in the County of _____
_____, State of Minnesota, described as follows, to-wit:

None

(C) Other tract..... of land lying and being in the County of _____
State of Minnesota, described as follows, to-wit

None

FIFTH—That the following named persons are the devisees

of said decedent, and are all
of the persons entitled to the residue of said estate of said decedent, to-wit:

Mathilda Schreifels Huberty, Theodore Schreifels, Reverend Ferdinand Schreifels, O. S. B., Theresa Schreifels Menke, Clara Schreifels Huberty, Barbara Schreifels Nistler, Marie Schreifels Roeser and Rita Schreifels Ludwig, children of decedent.

NOW, THEREFORE, On motion of Russell & Willenbring, Attorneys for the

representative of said estate, and by virtue of the power and authority vested in this court by law, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, and the said court does hereby ORDER, ADJUDGE AND DECREE, that all and singular the above described PERSONAL PROPERTY be, and the same hereby is, assigned to and vested in the above named persons, in the following proportions and estates, to-wit:

None for distribution.

And that the title to the above described real estate _____ has passed to and is hereby assigned to and vested in the above named persons in the following proportions and estates, to-wit:

None for assignment.

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said above named person s. their heirs and assigns; without prejudice, however, to any lawful conveyance of said property or any part thereof by said persons, or any of them, heretofore made.

Dated at St. Cloud, Minnesota, this 5th day of April, 1963



John Long
Probate Judge.

State of Minnesota,

ss.

PROBATE COURT

County of _____

I, _____ of the Probate Court, within and for said County, and Custodian of the Seal and Records of said Court, do hereby certify that I have compared the foregoing copy of Final Decree of Distribution with the original record thereof preserved in this office and have found the same to be a correct transcript of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Court, at _____

in said County, this _____ day of _____, 19____

_____ of the Probate Court.

File No. 19,434

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifers, Decedent.

Final Decree of Distribution

Office of Register of Deeds,

State of Minnesota,

County of _____
I hereby certify that the within Instrument was filed in this office for record on

the _____ day of _____, 19____, at _____ o'clock _____ M.
and was duly recorded in Book _____ of _____, page _____

Register of Deeds.

Deputy.

By _____

Transfer entered this _____

day of _____

19____

County Auditor.

Deputy.

By _____

Filed this 5th day of April, 1963, and recorded in Book 123 of Decrees, page 241

Joseph D. Doherty
Clerk of Probate Court.

STATE OF MINNESOTA
COUNTY OF STEARNS

PROBATE COURT
FILE No. 19,434

RE ESTATE OF

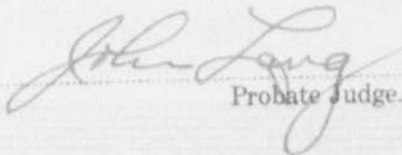
Ottilia Schreifels,
~~Wife~~—Decedent.

ORDER DISCHARGING
REPRESENTATIVE - ~~GUARDIAN~~

Mathilda Schreifels Huberty
the Representative herein, having complied with all the orders and
decrees of the court and with the provisions of law and having fully discharged her trust,

IT IS ORDERED, that said representative ~~guardian~~ and her sureties herein are hereby finally
discharged and that the representative's ~~guardian's~~ bond is hereby cancelled.

Dated April 17th 19 63


Probate Judge.

(COURT SEAL)

005883047

FILE NO. 19,434

STATE OF MINNESOTA

COUNTY OF STEARNS

PROBATE COURT

RE ESTATE OF

Ottilia Schreifels,
/ ~~Wife~~ / Decedent.

ORDER DISCHARGING
REPRESENTATIVE ~~GUARDIAN~~

Filed this 17th day of April

19 63, and Recorded in Book

on Page _____ thereof.

Paula K. Kuehn
Clerk of Probate.

005883048

STATE OF MINNESOTA,
COUNTY OF STEARNS
RE ESTATE OF
Otilia Schreifels,

PROBATE COURT
File No. 19,434

Decedent.
IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on
Friday, November 9th, 19 62 , at 9 o'clock A. M. by this court in the Court House
in St. Cloud, Minn.
IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date
hereof and that said claims be heard on Friday, February 8th, 19 63 , at 9 o'clock
A. M. by this court in the Court House in St. Cloud, Minn.
(SEAL) Dated this 8th day of October, 19 62

Russell & Willenbring,

Attorneys.

John Lang
Probate Judge.

NOTE: Make this order in duplicate.

FILE NO. 12,434

STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT

RE ESTATE OF

Ottillie Schreyfels,
Decedent.

ORDER FOR HEARING PETITION
TO ADMIT WILL AND NOTICE
TO CREDITORS

Publish in Gold Spring Record
November 9th, 1962

Hearing Will Feb. 8th, 1963
Hearing Claims

FILED THIS 12th DAY
OF February, 1963
Charles L. Johnson

STATE OF MINNESOTA
COUNTY OF STEARNS

Re Estate of

Ottilia Schreiefels,

Decedent.

IT IS ORDERED that the petition filed herein to sell ~~mortgage / lease~~ realty be heard on Friday
January 11th, 19⁶³, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

(Seal)

Dated this

13th

day of December

19⁶²

Russell & Willenbring,

Attorneys.

John Lang
Probate Judge.

NOTE: Make this order in duplicate.

File No. 19,434

STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT

Re Estate of

Ottilla Schreffels,

Decedent.

Order for Hearing Petition To
Sell *Mortgage/Vehicle*
Realty

Publish in Cold Spring Record
Hearing January 11th, 1963

FILED THIS 13th DAY

OF December 1962

Leahy, Trustee

CLERK OF PROBATE

STATE OF MINNESOTA
COUNTY OF STEARNS

Re Estate of

Ottillia Schreifels

Decedent.

PROBATE COURT

File No. 19,434

IT IS ORDERED that the final account and petition for examination thereof and for distribution filed herein be heard on Friday, April 5th, 19 63, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

(Seal)

Dated this 12th day of March, 1963

1963

Russell & Willenbring,

Attorney.s.


Probate Judge.

NOTE: Make this order in duplicate.

File No. 19,434

STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT

Re Estate of

Ottilla Schretelfels,
Decedent.

Order for Examination of
Final Account

Publish in Cold Spring Record
Hearing April 5th, 1963, 1964

FILED THIS 12th DAY
OF May 14, 1963
Carolyn Johnson
CLERK OF PROBATE

Order Limiting Time to Settle Estates (Revised 1906)

State of Minnesota,

County of Stearns

} 88.

IN PROBATE COURT

In the Matter of the Estate of

Ottilia Schreifels,

Decedent

ORDER LIMITING TIME

of said estate

Letters Testamentary

this day having been granted unto Mathilda Schreifels Huberty

of said County, it is ordered that the said Mathilda Schreifels Huberty

be, and she is hereby allowed twelve months from and after the date hereof, for the settlement of said estate.

By the Court,

Dated November 15th, 1962

(Court Seal)

John Long
Judge of Probate

00583055

19,434

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Ottilia Schreifels,

Decedent.

Order Limiting Time to
Settle Estate

Filed this 15th day of

November, 1962, and

recorded in book

of Orders at Page

Roselyn Kuchner
Clerk—Judge of Probate

State of Minnesota,

County of Stearns

State of Minnesota,

County of Stearns

STATE OF MINNESOTA
COUNTY OF STEARN'S
PROBATE

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels

Decedent.

Doris Theisen

secretary for
I, duly sworn, on oath says; that she is the attorney for the representative
e matter above entitled and has full knowledge of the facts herein set forth; that

on the 28th day of December 19 62, she mailed a true
copy of the printed Notice hereto attached and made a part hereof by enclosing it in a sealed envelope and
depositing the same in the Post Office at the Village of Cold Spring,
County and State aforesaid, postage prepaid, addressed to each of the following named persons at their respective addresses
stated below; and that they are all of the heirs at law of the above named decedent all of the legatees and devisees
named in the will of said decedent whose names and addresses he has been able to ascertain after due diligence, to-wit:

Names

Addresses

Names

Addresses

Mathilda Schreifels Huberty - Rt. #1, Watkins, Minn. Rita Schreifels Ludwig - Rt. #1, Watkins, Minn.

Theodore Schreifels - 1008 6th St. N, St. Cloud, Minn.

Rev. Ferdinand Schreifels, - St. Joseph's Parish, O.S.B. Moorhead, Minn.

Theresa Schreifels Menke - Cold Spring, Minn.

Clara Schreifels Huberty - Watkins, Minn.

Barbara Schreifels Nistler - Rt. #1, Watkins, Minn.

Marie Schreifels Roeser - Rt. #1, Watkins, Minn.

Subscribed and sworn to before me this 29th day of December, 19 62.

JULIA STEIN Notary Public, Stearns County, Minn.

My commission expires October 29, 19 64

00583057

19434

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels
Decedent.

AFFIDAVIT OF SERVICE BY MAIL

Filed this 31st day of
December, 1963

Roselyn L. Lythhouse
Clerk ~~Judge~~ of Probate.

PROBATE COURT
File No. 19,434

Re Estate of

Ottilia Schreifels, Decedent.

IT IS ORDERED that the petition filed herein to sell realty be heard on Friday, January 11th, 1963, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

Dated this 13th day of December, 1962.

(Seal)

RUSSELL & WILLENBRING,
Attorneys.

JOHN LANG

Probate Judge.

Pub. Dec. 20, 27, Jan. 3

00583058

State of Minnesota,

County of Stearns

} ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels

Decedent.

State of Minnesota,

County of Stearns

} ss.

Julia Stein

Secretary of

STATE OF MINNESOTA

being duly sworn, on oath says; that he is the attorney for the representative in the matter above entitled and has full knowledge of the facts herein set forth; that

on the 15th day of March 19 63, she mailed a true

copy of the printed notice hereto attached and made a part hereof by enclosing it in a sealed envelope and depositing the same in the Post Office at the village of Cold Spring

County and State aforesaid, postage prepaid, addressed to each of the following named persons at their respective addresses stated below; and that they are all of the heirs at law of the above named decedent all of the legatees and devisees named in the will of said decedent whose names and addresses he has been able to ascertain after due diligence, to-wit:

Names

Addresses

Names

Addresses

Mathilda Schreifels Huberty Rt. #1, Watkins, Minn.

Theodore Schreifels 1008 6th St. N., St. Cloud, Minn.

Rev. Ferdinand Schreifels, O.S.B., St. Joseph's Parish, Moorhead, Minn.

Theresa Schreifels Menke Cold Spring, Minn.

Clara Schreifels Huberty, Watkins, Minn.

Barbara Schreifels Nistler Rt. #1, Watkins, Minn.

Marie Schreifels Roeser Rt. #1, Watkins, Minn.

Rita Schreifels Ludwig, Rt. #1, Watkins, Minn.

Subscribed and sworn to before me this 15th

day of March, 19 63.

F. W. Russell Notary Public, Stearns County, Minn.

My commission expires April 19, 19 67

005883059

State of Minnesota.

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

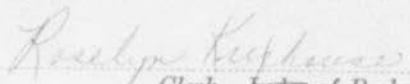
Ottilia Schreifels

Decedent.

AFFIDAVIT OF SERVICE
BY MAIL

Filed this 18th day of

March, 19 63


 Clerk—Judge of Probate.

COUNCIL OF JUDGES

Probate Court

File No. 19,434

Re Estate of Ottilia Schreifels

Decedent.

IT IS ORDERED that the final account and petition for examination thereof and for distribution filed herein be heard on Friday, April 5th, 1963, at 9 o'clock A. M. by this court house in St. Cloud, Minn.

Dated this 12th day of March, 1963.

(seal)

Russell and Willenbring,
Attorneys.

John Lang

2

Probate Judge.

Pub. March 14, 21, 28.

PRINTER'S AFFIDAVIT OF PUBLICATION

Printer's Affidavit of Publication. (Mason's Minn. Statutes, 1927, Chap. 10935, 10936, as amended by Chap. 572, G. L. 1933, as amended by L. 1935, C. 166.)

STATE OF MINNESOTA,
County of Stearns.

I, Paul A. Honer, being duly sworn, on oath says; that he is, and during all the times herein stated has been the publisher of the newspaper known as COLD SPRING RECORD, and has full knowledge of the facts hereinafter stated; that for more than one year

prior to the publication therein of the

Probate Notice

STATE OF MINNESOTA
COUNTY OF STEARNS

Probate Court

File No. 19,434

Re Estate of Otilia Schreffels

Decedent.

IT IS ORDERED that the final account and petition for examination thereof and for distribution filed herein be heard on Friday, April 5th, 1963, at 9 o'clock A. M. by this court house in St. Cloud, Minn.

Dated this 12th day of March, 1963.

(seal)

Russell and Willenbring,
Attorneys.

John Lang

2 Probate Judge.
Pub. March 14, 21, 28.

hereinafter described, said newspaper was printed and published in the Village of Cold Spring, in the County of Stearns, State of Minnesota, on Thursday of each week; that during all said time said newspaper has been printed in the English language from its known office of publication within the Village from which it purports to be issued as above stated in column and sheet form equivalent in space to at least 450 running inches of singlecolumn, two inches wide; has been issued once each week from a known office established in said place of publication and equipped with skilled workmen and the necessary material for preparing and printing the same; that during all said time in its makeup not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that during all said time it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and advertisements; has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and has entry as second class matter in its local post-office; and that there has been on file in the office of the County Auditor of Stearns County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the Order for Examination of Final Account

hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English language, one each week

for three (3) successive weeks; that it was first so published

on Thursday, the 14th day of March, 19 63, and thereafter on Thursday of each week to and including the

28th day of March, 19 63; and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

Subscribed and sworn to before me this 5th day of

April, 19 63

Julia Stein

Notary Public, Stearns County, Minn.

My Commission expires October 29, 19 64

00583061

19,434

STATE OF MINNESOTA
County of Hennepin

Plaintiff
vs
Defendant
Ottilla Schreifers

Deceased Wife

PRINTER'S AFFIDAVIT

FILED THIS 5th DAY
OF APRIL 19 63
Ottilla Schreifers
CERK OF PROBATE



005883062

State of Minnesota,

County of Stearns

File No. 19,434

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels

Decedent

Affidavit of Mailing of Order for Hearing

On Hearing for Administration or Probate of Will, if decedent was not born in the United States, mail one copy of order to Foreign Consul or Secretary of State.

STATE OF MINNESOTA,
County of Stearns
PROBATE COURT
File No. 19,434
Re Estate of Ottilia Schreifels,
Decedent.

IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on Friday, November 9th, 1962, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date hereof and that said claims be heard on Friday, February 8th, 1963, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

Dated this 8th day of October, 1962.

JOHN LANG,
Probate Judge.
RUSSELL & WILLENBRING,
Attorneys.

State of Minnesota,

County of Stearns

Julia Stein

being first duly sworn on oath deposes and says that on the 25th day of October, 1962,

at Cold Spring, in said County and State she mailed one copy of the Order hereto

attached in the above entitled matter, to

(Secretary of State or Foreign Consul)

and to all the legatees and devisees and to all known heirs-at-law of said decedent, at their last known address, after exercising due diligence in ascertaining the correctness of said addresses, by placing a true and correct copy thereof in a sealed envelope, postage prepaid and depositing the same

in the U. S. mails at Cold Spring, Minn.

and addressed to the following named persons:

NAME	STREET OR POST OFFICE	CITY	STATE
Mathilda Schreifels Huberty		Rt. #1, Watkins	Minn.
Theodore Schreifels	1008 6th St. N.	St. Cloud	Minn.
Rev. Ferdinand Schreifels, O.S.B.	St. Joseph's Parish	Moorhead	Minn.
Theresa Schreifels Menke		Cold Spring	Minn.
Clara Schreifels Huberty		Watkins,	Minn.
Barbara Schreifels Nistler		Rt. #1, Watkins,	Minn.
Marie Schreifels Roeser		Rt. #1, Watkins	Minn.
Rita Schreifels Ludwig		Rt. #1, Watkins	Minn.

Subscribed and sworn to before me this 25th day of October, 1962

F. W. Russell
Notary Public, Stearns County, Minn.

My commission expires April 19, 1967

Julia Stein

00583063

AFFIDAVIT OF MAILING

ALLOWANCES TO SPOUSE OR MINOR CHILDREN

When a decedent dies with or without a will the allowances to the spouse or minor children are as follows:

525.15 ALLOWANCES TO SPOUSE. When any person dies testate, or intestate,

(1) The surviving spouse shall be allowed from the personal property of which the decedent was possessed or to which he was entitled at the time of his death, the wearing apparel, and, as selected by him, furniture and household goods not exceeding \$2,000 in value, and other personal property not exceeding \$1,000 in value;

(2) When, except for one automobile, all of the personal estate of the decedent is allowed to the surviving spouse by clause (1), the surviving spouse shall also be allowed such automobile.

(3) If there be no surviving spouse, the minor children shall receive the property specified in clause (1) as selected in their behalf;

(4) During administration, but not exceeding 18 months, unless an extension shall have been granted by the court, or, if the estate be insolvent, not exceeding 12 months, the spouse or children, or both, constituting the family of the decedent shall be allowed such reasonable maintenance as the court may determine;

(5) In the administration of an estate of a non-resident decedent, the allowances received in the domiciliary administration shall be deducted from the allowances under this section.

In all estates where there is a will the following rule applies to the spouse who has not consented to the will:

525.212 RENUNCIATION AND ELECTION. If a will make provision for a surviving spouse in lieu of the rights in the estate secured by statute, such spouse shall be deemed to have elected to take under the will, unless he shall have filed an instrument in writing renouncing and refusing to accept the provisions of such will within six months after the filing of the certificate of probate. For good cause shown, the court may permit an election within such further time as the court may determine. No devise or bequest to a surviving spouse shall be considered as adding to the rights in the estate secured by sections 525.145 and 525.16 to such spouse, unless it clearly appears from the contents of the will that such was the testator's intent.

State of Minnesota,

County of _____

being first duly sworn on oath deposes and says that on the _____

day of _____

in said County and State,

19____ at _____

he mailed a copy of Sections 525.15 and 525.212 of Minnesota Statutes as hereinbefore set out to the spouse and minor children of said decedent at their last known address after exercising due diligence and ascertaining the correctness of said addresses by placing a true and correct copy thereof in a sealed envelope, postage pre-paid and depositing the same in the U. S. mails at _____

Minnesota, and addressed to the following:

STREET OR POST OFFICE

CITY

STATE

NAME

Subscribed and sworn to before me this _____

day of _____

County, Minn.

Notary Public

My commission expires _____

19____

File No.

State of Minnesota

Stearns

County of

IN PROBATE COURT

In the Matter of the Estate of

Ottilla Schreifels

Decedent

AFFIDAVIT OF MAILING

Filed October 26, 1963

Joseph J. Schreiner
Probate Judge - Clerk

No. 3854

State of Minnesota,

County of Stearns

PROBATE COURT

Special

Term, February 8th, 1963

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels,

Deceased.

ORDER ON CLAIMS

After a full hearing and examination of all claims presented to this Court at the time and place fixed by order of the Court for hearing, examining and allowing claims against the estate of Ottilia Schreifels Deceased; It is ordered, that the claims herein with the amounts marked "ALLOWED" be and the same are hereby allowed against said estate; and the claims with the amounts marked "DISALLOWED" be and the same are hereby disallowed, and that the final Balance on each claim in favor of or against the estate as herein specified, stand and be recorded as the final order of the Court.

Reg. Page.

No. of Claim	WHEN FILED			NAME OF CLAIMANT	NATURE OF CLAIM	CLAIMS			When Allowed or Disallowed		
	Month	Day	Year			Amount of Claim	Amount Allowed	Amount Disallowed	Month	Day	Year
1	Dec.	3,	1962	Village of Cold Spring	Water Bill	9.00	9.00		Feb.	8,	1963
TOTAL						9.00	9.00				

0058 3065

State of Minnesota.

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Ottilia Schreiffels

Decreased

ORDER ON CLAIMS

Filed this

478

day of

February

69

Clerk *John* of Probate

134

Deputy

Recorded in Book

2

of Claims

Page 278

428

By the Court

John Long
Judge of Probate.

005883066

FINAL ACCOUNT AND PETITION FOR SETTLEMENT

State of Minnesota, } ss.
County of STEARNS

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Ottilia Schreifels

Decedent

Final Account and Petition
for SettlementDate of death October 2, 1962

Your petitioner respectfully represents and shows to the court:

FIRST—That she is the representative of the estate of the above named decedent.SECOND—That as such representative she has fully administered the said estate, has paid and satisfied all claims against said estate allowed by the court, and has in all things complied with the orders of this court in said matter and with the law relating thereto.THIRD—That she herewith renders her final account of her said administration, which is as follows, to-wit:

	RECEIPTS	To be Filled in by the Representative	Not to be Filled in by the Representative
Personal property described in the inventory	- - - - -	\$ 210.00	\$
Personal estate omitted from the inventory	- - - - -	\$	\$
Gain by sales above appraised value	- - - - -	\$	\$
Cash from sales of real estate	- - - - -	\$ 5,000.00	\$
Cash from rent of real estate	- - - - -	\$	\$
Cash from interest and profits <u>Interest on savings account</u>	- - - - -	\$ 3.62	\$
Cash from other sources	- - - - -	\$	\$
<u>Insurance premium refund</u>	- - - - -	\$ 5.00	\$
		\$	\$
		\$	\$
		\$	\$
Total receipts from all sources	- - - - -	\$ 5,218.62	\$

DISBURSEMENTS

I. FAMILY

	Voucher Number		
Personal property selected by and turned over to surviving spouse	- - - - -	\$	\$
Maintenance of family of decedent	- - - - -	\$	\$
Total	- - - - -	\$ None	\$

II. EXPENSES OF ADMINISTRATION

Loss from sales of personal property at less than appraised valuation	- - - - -	\$	\$
Cash paid to appraisers for services	1	\$ 10.00 K	\$
Cash paid for publication of orders	2	\$ 27.00 K	\$
Repairs to real estate	- - - - -	\$	\$
Cash paid for insurance	- - - - -	\$	\$
Expenses of representative <u>Mileage \$25.25; telephone call 67¢</u>	3	\$ 25.92 K	\$
Compensation of representative	4	\$ 50.00 K	\$
Fees of Attorney - <u>(Including clearing Theodore Schreifels Estate joint tenancy)</u>	5	\$ 212.72 K	\$
Bond of Representative	6	\$ 20.00 K	\$
Certified copies (Probate Court)	7	\$ 4.50 K	\$
Register of Deeds, recording	8	\$ 7.25 K	\$
Abstract continuation	9	\$ 10.00 K	\$
Advertising house for sale	10	\$ 9.00 K	\$
Northern States Power Company—light bill	11	\$ 6.30 K	\$
Probate Court filing fee	12	\$ 1.00 K	\$
Minnesota deed tax and federal doc. stamps on deed	13	\$ 11.00 K	\$
Certified copy death record—Theodore Schreifels	14	\$ 1.00 K	\$
Total expense of administration	- - - - -	\$ 393.69	\$

III. EXPENSES OF LAST SICKNESS

	VOUCHER NO.	AMOUNT
Cash paid for medical attendance		
Cash paid for medicines		
Cash paid for nursing		
Cash paid for hospital		
Total expenses of last sickness		none

IV. FUNERAL EXPENSES

	The Wenner Company, Cold Spring, Minn.	15	\$ 630.00
Cash paid for undertaker		16	\$ 35.00
Cash paid sexton	Frank Schmitt, Grave Digging		\$
Cash paid for other necessary services		17	\$ 15.00
Cash paid for burial service		18	\$ 14.50
Cash paid for monuments	Memorial Cards		\$
Cash paid to cemetery			\$
Total funeral expenses			\$ 694.50

V. TAXES

	\$
Personal property tax lien at date of death - - - - -	\$
Other personal property taxes - - - - -	\$ 171.55 R
Real property tax lien at date of death - - - - -	\$
Other real estate taxes - - - - -	\$
Federal estate taxes - - - - -	\$
Federal income taxes; personal to decedent - - - - -	\$
Federal income taxes; fiduciary - - - - -	\$
State income taxes; personal to decedent - - - - -	\$
State income taxes; fiduciary - - - - -	\$
Total taxes paid - - - - -	\$ 171.53

VI. CLAIMS OF CREDITORS

CASH PAID IN SETTLEMENT OF CLAIMS OF CREDITORS AS ALLOWED BY THE COURT AS FOLLOWS:

[illegible]

VII. LEGACIES AND BEQUESTS

	VOUCHER NO.	AMOUNT
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RECAPITULATION

Not to be filled
in by
Representative
RECEIPTS

	RECEIPTS	DISBURSEMENTS	
Total receipts from all sources -	\$ 5,218.62		\$ Disbursements
Total disbursements and credits as follows:			
1. Family		\$ 393.69	\$
2. Expenses of administration			\$
3. Expenses of last sickness		\$ 694.50	\$
4. Funeral Expenses		\$ 171.53	\$
5. Taxes		\$ 5,958.90	\$
6. Claims of creditors			\$
7. Specific Legacies		\$.00	\$
8. Residue of personal prop. for distribution			\$
9.			\$
10.			\$
11.			\$
12.			\$
13.			\$
Total	\$ 5,218.62	\$ 5,218.62	\$

FOURTH—That there is also belonging to said estate for distribution certain real estate as follows:

The homestead of said decedent, in the County of _____, State of Minnesota,
described as follows: _____

None

Also these other tracts and parcels of land in the County of _____
State of Minnesota, described as follows: _____

None

FOURTH (A)—Personal property for distribution consists of the following items: _____

None

FIFTH—That said decedent died on the 2nd day of October, 19 62,

testate, and left her surviving the following children:

Mathilda Schreifels Huberty
Theodora Schreifels
Reverend Ferdinand Schreifels, O. S. B.
Theresa Schreifels Menke
Clara Schreifels Huberty
Barbara Schreifels Nistler
Marie Schreifels Roeser
Rita Schreifels Ludwig

who are sole devisees and all the heirs at law
of said decedent, and the persons entitled to the residue of said estate.

WHEREFORE, your petitioner prays the order of this court fixing a time and place for the hearing of this petition and an examination of her final account, and the settlement and allowance of the same; and that upon said hearing the court issue its final decree assigning the residue of said estate to the persons thereunto entitled.

Dated March 9, 19 63

Mathilda Schreifels Huberty
Petitioner

State of Minnesota,

County of Stearns

ss.

Mathilda Schreifels Huberty

being duly sworn on oath says that She is the person who made the foregoing petition; that she knows the contents thereof, and that the same is true of her own knowledge except as to those matters therein stated on her information and belief, and as to those matters she believes it to be true.

Subscribed and sworn to before me this

9th day of March, 19 63

Mathilda Schreifels Huberty
Representative

Julia Stein

Notary Public

Stearns

County, Minn.

My commission expires October 29, 19 64

NOTE (1) Insert "Sole devisees" or "All the heirs at law" as the case may be.

NOTE (2) Number your receipts and enter them in your (voucher No.) column.

19, 436
State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Ottillia Schreifels

Decedent

Final Account and Petition for

Hearing and Allowance

Thereof

Russell E. Willenbring
Attorney & for Petitioner

Filed this 12th day of

March, 19 63

Joseph H. Harkness
Clerk Judge of Probate

State of Minnesota,

County of Stearns

In the Matter of the Estate of

Jacob Theis,

Decedent.

IN PROBATE COURT

19,435

Petition for Allowance and
Probate of Will

To the Probate Court in and for said County:

Your petitioner represents and alleges to the Court:

FIRST—That your petitioner is a resident of the Township of Wakefield, in the County of Stearns, State of Minnesota, and is an adult and is interested in the estate of decedent in this, to-wit: That he is the Executor nominated by decedent's will.

SECOND—That said decedent was born in the Country of United States of America, and died at Cold Spring, County of Stearns, State of Minnesota, on the 14th day of September, 1962, aged 79 years and at the time of his death was a native of U. S. A. and a citizen of the Country of U. S. A. and a resident of Wakefield Township, in the County of Stearns and State of Minnesota, and left estate in the County of Stearns, State of Minnesota.

THIRD—That said decedent died leaving a last Will and Testament which Will is herewith presented and filed for Probate.

FOURTH—That the estate of decedent at the time of his death consisted of personal property of the estimated value of \$ none divided as follows:

- | | | | |
|---------------------|----|------------------------|-------------|
| 1. Household goods, | \$ | 2. Wearing apparel, | \$ no value |
| 3. Stock, | \$ | 4. Notes, bonds, etc., | \$ |
| 5. Miscellaneous, | \$ | | |

That said estate also included real estate of the estimated worth and probable value of \$ 7,500.00 situated in Wakefield Township, in said County of Stearns, State of Minnesota, to-wit:

1. Homestead in Stearns County, Minnesota, as follows:

A. City Property

(Give Area)

(or)

B. Rural Property 75 a.

(Give Area)

2. Real Estate other than Homestead:

A. City Property

Lots without Buildings \$

City Property

Lots with Buildings \$

B. Rural Property

Acres improved land \$

Rural Property

Acres unimproved land \$

FIFTH—That the probable amount of debts of decedent is \$ none

SIXTH—That the names, ages, relationship and addresses of the heirs, legatees and devisees of said decedent, so far as known to your petitioner are as follows:

NAME	AGE	RELATIONSHIP	POST OFFICE ADDRESS
Herbert J. Theis	Legal	Son	Cold Spring, Minn.
Christiana Magdalen Theis Jungels	(Mrs. Peter) do	Daughter	Watkins, Minn.
Adeline Elizabeth Theis Mathies	(Mrs. Thomas) do	Daughter	Watkins, Minn.
Agatha Genevieve Theis Birk	(Mrs. Gerhard) do	Daughter	Rockville, Minn.
Barbara Clara Theis Ficker	(Mrs. Cyril) do	Daughter	Watkins, Minn.
Loretta Marie Theis Bratger	(Mrs. August) do	Daughter	Watkins, Minn.
Dorothy Irene Theis Kosloski	(Mrs. Richard) do	Daughter	Cold Spring, Minn.

Death of wife Marianna Theis in the year 1954

SEVENTH—That Herbert J. Theis whose Post Office address is Cold Spring, Minnesota, is named in said Will as executor thereof and is suitable and competent person to be executor of said Will.

WHEREFORE, Your petitioner prays that said last Will and Testament be allowed and admitted to probate; and that said Herbert J. Theis be appointed executor thereof; and that, upon due qualification as provided by law, letters testamentary be issued to the said Herbert J. Theis.

Dated October 9, 1962.

Herbert J. Theis

Petitioner.

State of Minnesota,

County of Stearns

ss.

Herbert J. Theis.

being duly sworn, on oath says that he is the petitioner named in the foregoing petition; that the said petition is true of his own knowledge except as to the matters therein stated on information and belief, and as to those matters he believe it to be true.

Herbert J. Theis

Subscribed and sworn to before me this 9th day of October, 1962.

Notary Public

John B. Pattison, Jr.
Stearns

County, Minnesota.

My Commission expires

March 20

1967.

State of Minnesota,

County of Stearns

IN PROBATE COURT

Petition for Allowance and
Probate of Will

In the Matter of the Estate of

Jacob Theis,

Decedent.

Selection of Newspaper

To the Judge of said Court:

Please cause the notices in said estate to be published in the

St. Cloud Times

(Here insert name of newspaper)

(Sign your name here)

Filed this

9th

day of

October

1962.

Rosemary R. Rasmussen
Probate Judge—Clerk.

No. 3580*

00593072

STATE OF MINNESOTA,
COUNTY OF STEARNS

PROBATE COURT
File No. 19,435

RE ESTATE of Jacob Theis, Decedent.

IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on Friday, November 2nd, 1962, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date hereof and that said claims be heard on Friday, February 15th, 1963, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

Dated this 9th day of October, 1962.
(SEAL)

JOHN LANG
Probate Judge.

PATTISON & PATTISON,
Attorneys.

Publish: October 11, 18, 25, 1962.

STATE OF MINNESOTA,
COUNTY OF STEARNS

ss.

Wilfred F. Miller

being duly sworn on oath says:

that he is, and during all times herein stated has been, the Bookkeeper

of the Times Publishing Company, the publisher of the newspaper known as The St. Cloud Daily Times and has full knowledge of the facts hereinafter stated.

That for more than one year prior to the publication therein of the Order for Hearing on Probate of Will

hereinafter described

said newspaper was printed and published in the City of St. Cloud, in the County of Stearns, State of Minnesota, daily except Sundays and holidays; that during all said time said newspaper has been printed in the English language from its known office of publication within the City of St. Cloud from which it purports to be issued as above stated and in newspaper format and in column and sheet form equivalent in space to at least 450 running inches of single column, two inches wide; has been issued daily except Sundays and holidays from a known office established in said place of publication and employing skilled workmen and the necessary material for preparing and printing the same; that the press work on that part of the newspaper devoted to local news of interest to the community it purports to serve has been done in its known office of publication; that during all said time in its makeup not less than twenty-five per cent of its news columns have been devoted to local news of interest to the community it purports to serve; that during all said time it has not wholly duplicated any other publication, and has not been entirely made up of patents, plate matter and advertisements; has been circulated in and near its said place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to paying subscribers and has entry as second class matter in its local postoffice; and that there has been on file in the office of the County Auditor of Stearns County, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the Order for Hearing on Probate of Will

hereto attached was cut from the columns of said newspaper, and was printed and published therein in the English language, once each week, for Three successive weeks; that it was first so published on Thursday the 11th day of October 1962 and thereafter on Thursday of each week to and including the 25th day of October 1962;

and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

Subscribed and sworn to before me this 25th day of October 1962

Notary Public, Stearns County, Minnesota.

My Commission expires

Sep. 29th 1965

005983073

PRINTER'S
Affidavit of Publication
OF
THE ST. CLOUD DAILY
TIMES

Of... Order for Hearing on

..... Probate of Will

..... Estate of Jacob Theis

..... Decedent

FILED THIS 29th DAY
OF October 19 62

Rose Lynn Kephau

State of Minnesota,

County of Stearns

} ss.

IN PROBATE COURT

In the Matter of the Estate of Jacob Theis, Deceased.

THE LAST WILL AND TESTAMENT of said deceased having been this day admitted to probate by this Court,
and Herbert J. Theis named as execut or of said Will,
having applied for Letters Testamentary thereon:

IT IS ORDERED, That the said Herbert J. Theis give
bonds to the Judge of this Court in the sum of One Thousand and no/100 - - - - -
- - - - - (\$1,000.00) - - - - - Dollars,
conditioned that he will faithfully execute the duties of his trust according to law, with sufficient sureties, to be ap-
proved by said Judge, and that thereupon Letters Testamentary to be him issued.

Dated at St. Cloud Minnesota, the 16th day of November

A. D. 19 62.

By the Court,

Pattison & Pattison,

Attorneys for Petitioner.

John Long
Judge of Probate.

00593075

No. 19,435

IN PROBATE COURT

County of Stearns

In the Matter of the Estate of

Jacob Theis,

Deceased.

ORDER FOR EXECUTOR'S BOND

Filed this 16th day of
November A. D. 19 62, and
recorded in Book of Orders, on
page

Roselyn H. Huchance
Clerk—Judge of Probate.

No. 5540*

0059 3076

State of Minnesota, }
County of Stearns

IN PROBATE COURT.

In the Matter of Proving the Last Will and Testament of the Estate of

Jacob Theis,

Proof of Will

Decedent.

State of Minnesota, }
County of Stearns

F. W. Russell, being

duly sworn on behalf of the proponent of the Will, doth depose and say: that he is one of the subscribing witnesses to the instrument now shown him, bearing date the 27th day of

April A. D. 1954, and purporting to be the Last Will and Testament of

Jacob Theis, late of the County

of Stearns and State of Minnesota now here presented

for probate; that deponent knew

and was well acquainted with the said Decedent, in his lifetime and at the time of his death, that on the day

and date of said instrument, to-wit, the 27th day of April

A. D. 1954, the said instrument was signed, sealed, executed and then and there acknowledged, published and declared

by the said decedent, to be his Last Will and Testament in the presence of deponent and of

Julia Stein

the other subscribing witness thereto, and that deponent and the said

Julia Stein

the other subscribing witness did then and there, in the presence of the said decedent, and at his request,

severally subscribe said instrument as witnesses thereto.

Deponent further says that at the time of the execution of said instrument as aforesaid, the said Decedent was of sound and disposing mind, memory and understanding, of lawful age and under no restraint to the best of deponent's knowledge, and as he verily believes.

And further deponent saith not.

Subscribed and sworn to before me this

16 day of November A. D. 1962

John Lang
Judge of Probate.

F. W. Russell

No. 19,435

State of Minnesota,

County of Stearns

} ss.

IN PROBATE COURT

IN THE MATTER OF THE LAST WILL AND
TESTAMENT OF

Jacob Thels,
Decedent.

TESTIMONY OF

F. W. Russell
Subscribing Witness to Will.

Taken, sworn, subscribed and filed this

16th day of

November 19 62.

Joseph Thelander
Clerk Judge of Probate.

No. 3545*

Last Will and Testament

IN THE NAME OF GOD, AMEN

I, Jacob Theis, of the Township of Wakefield, County of Stearns and State of Minnesota, being of sound mind and memory, and considering the uncertainty of this frail and transitory life, do therefore make, publish and declare this to be my Last Will and Testament.

FIRST, I order and direct that my executor hereinafter named pay all of my just debts and funeral expenses as soon after my death as conveniently may be.

SECOND, I order and direct that my executor expend the sum of Thirty Dollars (\$30.00) for Gregorian masses for the repose of my soul; further that he should expend Thirty Dollars (\$30.00) to provide for Gregorian masses for the repose of the soul of my wife, Marianna Theis.

THIRD, I order and direct that my executor make arrangements for and expend a moderate amount for a tombstone for myself and wife.

FOURTH, I give, devise and bequeath my farm of seventy-five acres in Wakefield Township, Stearns County, Minnesota, and any livestock which I may own at the time of my death, to my beloved wife, Marianna Theis, for the term of her natural life, and after her death the same to descend to my son, Herbert J. Theis, as his absolute property.

FIFTH, All of the rest, residue and remainder of my estate I give, devise and bequeath to my wife, Marianna Theis, for the term of her natural life, and after her death the same to descend to my children hereinafter named, in equal and undivided shares, share and share alike, namely to:

Christiana Magdalen Theis Jungels, Adeline Elizabeth Theis Mathies, Agatha Genevieve Theis Birk, Barbara Clara Theis Ficker, Loretta Marie Theis Brutger, Dorothy Irene Theis Kosloski and Herbert J. Theis.

Jacob Theis

LASTLY, I hereby nominate and appoint my son, Herbert J. Theis, to be executor of this my last will and testament.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name this 27th day of April, 1954.

Jacob Theis

THIS INSTRUMENT, consisting of two pages, was on the day of the date thereof, signed, published and declared by the testator to be his last will and testament, in our presence, who, at his request, have subscribed our names thereto as witnesses, in his presence and in the presence of each other.

Julia Stein Residing at Cold Spring, Minnesota

Ed Russell Residing at Cold Spring, Minnesota

Will

of

JACOB THEIS

F. W. Russell
Attorney at Law
Cold Spring, Minn.

005983084

Certificate of Probate of Will. (Revision of 1948)

State of Minnesota,

County of Stearns

IN PROBATE COURT
CERTIFICATE OF PROBATE

In the Matter of the Estate of Jacob Theis

Decedent

Be it Remembered, That on the day of the date hereof at a

Special

Term

of said Probate Court, pursuant to the notice duly given, the last will and testament of

Jacob Theis

Decedent, late of said County of Stearns

bearing date the

27th

day of

April

19 54, and being the annexed

written instrument, was duly proved before the Probate Court, in and for the County of

Stearns

aforesaid; and was duly allowed and admitted to probate by said Court according to law; as and for the last Will and Testa-

ment of said Jacob Theis

deceased, which said last Will and Testament is recorded and the examination taken thereon filed in this office.

In Testimony Whereof, The Judge of the Probate Court

of said County has hereunto set his hand and affixed the seal

of said Court at St. Cloud in said County,

this 16th day of November 1962



John Laug
Judge of Probate.

005983082

State of Minnesota.

County of

ss.

IN PROBATE COURT

I, _____ of the Probate Court within and for said County of _____ do hereby certify that I have compared the foregoing copy of the record of last Will and Testament and Certificate of Probate thereon and the original records thereof now remaining in this office and have found the same to be correct transcripts therefrom and of the whole of such original records.

In Testimony Whereof, I have hereunto set my hand and affixed the seal

of said Court, at _____ this _____ day of _____ A. D. 19 _____

of Probate Court.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,

Decedent.

Certificate of Probate of Will

Filed this 16th day of November 19⁶², and recorded,

together with the will attached in Book _____ of Records of Wills, Page _____

Roselyn K. Kuchouse
Clerk of Probate.

State of Minnesota,
County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Jacob Theis,

Decedent

Order Admitting Will to Probate

The above entitled matter came on to be heard on the 2nd day of November 1962

upon the petition of Herbert J. Theis
for the allowance of an instrument filed therewith purporting to be the last will and testament of the above named decedent; and
the court having duly heard the same and all the evidence produced in support thereof, and having duly considered the same,
finds as follows:

FIRST—That the citation of this court, dated the 9th day of October 1962 has
been duly served and published as directed therein and required by law.

SECOND—That said decedent died on the 14th day of September 1962, and
at the time of his death was a resident of Wakefield Township
in the County of Stearns and State of Minnesota
and left estate in the County of Stearns State of Minnesota.

THIRD—That the subscribing witnesses to said purported last will and testament of said decedent, to-wit:

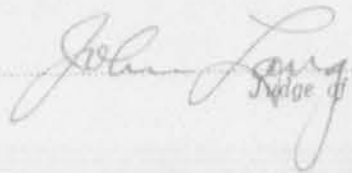
Julia Stein and F. W. Russell

and F. W. Russell duly sworn and examined, and his testimony reduced
to writing, subscribed by him and filed herein.

FOURTH—That said instrument presented for probate as aforesaid was duly executed by said decedent as his last will
and testament, according to law; and that said decedent, at the time he executed the said instrument, was of sound mind and
free from undue influence, of lawful age, and under no restraint

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the said instrument presented and proved
as aforesaid be and the same hereby is, established and allowed as the last will and testament of the above named decedent,
and is hereby admitted to probate.

Dated November 16th, 1962.


Judge of Probate.

19,435

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,

Decedent.

Order Admitting Will to Probate

Filed this 16th day of

November 19 62, and recorded

in Book " " of Orders, Page

Joel W. Bullock
Clerk of Probate.

No. 3541*

005983085

State of Minnesota, }
 County of Stearns } 88.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,
 Decedent.

LETTERS TESTAMENTARY

Decedent died on September 14th, 1962

To Herbert J. Theis

GREETING:

Whereas, You have been appointed execut or of the last will and testament of the above named decedent, by the order of this court, and have duly qualified as such:

Now Therefore, Reposing full faith and trust in your competency, ability and integrity, these letters testamentary are issued to you by the court, authorizing you to execute and carry into effect the said will of said decedent, according to the true intent thereof, and granting unto you all the powers, duties and responsibilities incident to said trust, in substance as follows, to-wit:

FIRST—To take possession of all the estate of said decedent, both real and personal, excepting that which may be set aside by the court for the surviving spouse or children of said decedent; to collect and receive all the rents, issues, increase and profits of said estate; to demand, receive, collect, sue for and recover all the debts, claims, rights, and choses in action, which to said decedent at the time of his death did belong; and, in within one month from the date hereof, to make and file in this court a true, verified, inventory of all the estate of said decedent, and cause the same to be appraised according to law.

SECOND—To manage, care for, and administer the said estate, to the end that the same may be preserved, kept, and increased, in the most economical and efficient manner; and to keep in good condition of repair all the buildings and improvements on the real estate of decedent.

THIRD—To cause to be paid, according to the provisions of said will as far as possible, and where not possible, then according to law, out of the personal estate of decedent if the same be sufficient therefor, and if not sufficient, then out of the real estate of decedent to be sold under the order of this court, the following charges, demands, and debts, in the order following, to-wit: the expenses of the administration of said estate; the expenses of the funeral of said decedent; the expenses of the last sickness of said decedent; all the debts of decedent having preference under the laws of the United States; all taxes that shall be legally levied upon the estate of decedent; all other debts of decedent due to his creditors that shall be duly proved and allowed by the court, if said estate be sufficient therefor, otherwise to pay the same pro rata; all legacies given and provided by said will of decedent, if his said estate be sufficient therefor.

FOURTH—To make and file in this court, whenever requested by the court so to do, and at the completion of said trust, full and true accounts, with itemized statements, under oath, of all said estate and the increase thereof, that shall come into your hands, and of all disbursements made by you and of all the residue that remains in your hands, together with the value and condition thereof; and, at the completion of said trust, to turn over all the residue of said estate in your hands to those declared thereunto entitled by the court.

Witness, The Judge of this Court, and the seal thereof, this 30th day of

November, 1962

John Long
 Probate Judge.



State of Minnesota.

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,
Decedent.

LETTERS TESTAMENTARY (LONG FORM)

Filed this 30th day of
November, 19 62, and Recorded
in Book " 0 " of Letters, Page 330

Joseph H. Hansen
Clerk-Judge of Probate Court.

No. 3549*

Probate Judge.

State of Minnesota. } ss.
County of _____
I, Judge of the Probate Court, in and for said County, and State afore-
said, do hereby certify that I have compared the within and foregoing paper writing with the original Letters Testamentary
in the matter therein entitled, now remaining of record in my office, and that the same is a true and correct copy of said
original, and the whole thereof.
WITNESS, my hand and seal of said Court, at _____ day of _____, A. D. 19 _____
this _____

IN PROBATE COURT

B

POWER OF ATTORNEY

(Irrevocable)

Nº 73468

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That the Western Surety Company, a corporation, does hereby make, constitute and appoint

Carlton R. Eckberg

in the City of St. Cloud, State of Minnesota, with limited authority, its true and lawful Agent and Attorney-in-Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, one of the following bonds.

An ORIGINAL bond required by Statute, Decree of Court or Ordinance for:	MAXIMUM PENALTY
(A) ADMINISTRATOR EXECUTOR GUARDIAN CONSERVATOR CURATOR TRUSTEE SALE OF REAL OR PERSONAL PROPERTY —testamentary only —when this company has qualifying bond or when it is a separate bond for accounting of proceeds of sale only.	\$500,000.00
REFeree IN PARTITION COMMISSIONER TO SELL REAL ESTATE TRUSTEE OR RECEIVER —in bankruptcy — Federal Court only —not for benefit of creditors	\$ 50,000.00
(B) RECEIVER	Cost Bond \$500.00
(C) ANY OTHER BOND, including Cost Bond not exceeding \$500.00 and Cost Bond on Appeal not exceeding \$500.00, and including a Supply Bid or Supply Contract Bond providing the contract price does not exceed \$10,000, but EXCLUDING the following: Appeal or Supersedeas Bond (other than Cost Bond as herein provided), Bail, Stay, Open Penalty, a Construction Bid or Contract Bond or a Bond for a Defendant.	Others \$10,000.00
(D) ANY BOND OR INDEMNITY provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the Chairman of the Board, President, Vice-President, Secretary, Treasurer or Assistant Secretary of the Western Surety Company specifically authorizing its execution.	

The acknowledgment and execution of any such document by the said Attorney-in-Fact, shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted and now in force, to-wit: "Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings or other obligations of the corporation."

IN WITNESS WHEREOF, the said WESTERN SURETY COMPANY has caused these presents to be executed by its President with its corporate seal affixed this 2nd day of January, 1959.

ATTEST

W. C. [Signature]
Assistant Secretary

By

Joe Kirby
President

STATE OF SOUTH DAKOTA { ss
COUNTY OF MINNEHAHA

On this 2nd day of January, 1959, before me, a Notary Public, personally appeared JOE KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires 1-19-68

[Signature]
Notary Public, South Dakota

005983088

State of Minnesota,

County of Stearns

IN THE MATTER OF THE ESTATE OF

Jacob Theis, deceased

IN PROBATE COURT

BOND

KNOW ALL MEN BY THESE PRESENTS, That we

Herbert J. Theis

and

Western Surety Company

as principal

a corporation organized under the laws of the State of South Dakota
and holding the certificate of the Insurance Commissioner of the State of Minnesota showing that it is authorized
to contract as surety upon bonds in said State of Minnesota, as surety, are held and firmly bound unto

Hon. John Lang

as Judge of Probate of the County of

Stearns

Minnesota, in the sum of One Thousand and 00/100

Dollars, lawful money of the United States, to be paid to said Judge of Probate, or
his successor in office; for which payment well and truly to be made, we bind ourselves and each of our heirs, executors,
administrators, successors and assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bounden

Herbert J. Theis

who has been appointed representative

of the estate of the above named Jacob Theis, deceased, shall well and
faithfully discharge all the duties of his trust as representative of said estate according to law,
then this obligation shall be void; otherwise it shall remain in full force and virtue.

IN WITNESS WHEREOF, Said principal has hereunto affixed his hand and seal;
and the said surety has caused these presents to be signed by its Attorney in Fact

and its corporate seal to be hereto attached by authority of its
Board of Directors, this 20th day of November 19 62 .

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

John B. Pattison, Jr.
Oda E. Zolnick

Herbert J. Theis (SEAL)
(Herbert J. Theis)
(SEAL)

WESTERN SURETY COMPANY

By Carlton R. Eckberg
C.R. Eckberg - Attorney in Fact

Acknowledgment of Principal

State of Minnesota,

County of Stearns

On this 20th day of November 19 62 , before me personally appeared
Herbert J. Theis

to be the person who executed the foregoing bond as principal, and
that he executed the same for the uses and purposes herein expressed as his free act and deed.

My Commission Expires March 20, 1967

John B. Pattison, Jr.
Notary Public Stearns County,
Minnesota.

Acknowledgment of Surety

State of Minnesota,

County of Stearns

On this 20th day of November 19 62 ,
before me appeared C. R. Eckberg

to me personally known, who being by me duly sworn, did say that he is the Attorney in Fact

of Western Surety Company
a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said
instrument was executed in behalf of said corporation by said Attorney in Fact

by authority of its Board of Directors; and the said C. R. Eckberg

acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires March 20, 1967

John B. Pattison, Jr.
Notary Public Stearns County,
Minnesota.

Approval

I hereby approve the within bond and the surety thereon, this
November 30th, 1962.

30th

day of

John Lang
Probate Judge.

Oath of Representative

State of Minnesota,

County of Stearns

Herbert J. Theis

I, do swear that I will faithfully and justly perform all the duties of the office and trust which I now assume as
Executor of the estate

of the above named Jacob Theis, deceased, to the best of my ability

and according to law, so help me God.

Subscribed and sworn to before me, this 20th

day of November, 1962.

John B. Pattison, Jr.
John B. Pattison, Jr. Stearns County,
Notary Public Minnesota.

My Commission Expires March 20, 1967

Herbert J. Theis
(Herbert J. Theis)

No. 19,435

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,

Decedent.

Bond and Oath of Representative
(Corporate Surety)

Filed the 30th day of November
1962 and said bond
recorded in Book of Bonds, page
of Probate Records.

Joseph H. Hanson
Clerk, 11/30/62 of Probate.

005983090

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Order Appointing Appraisers

Jacob Theis, _____
Decedent.

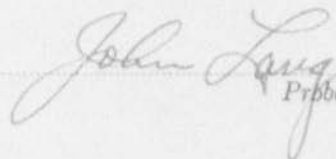
On all the files, records, and proceedings in said estate

It is ordered that Fred Stein _____ and
Victor Stein _____

be and they are hereby appointed appraisers, to appraise upon oath the estate of the said decedent according to law.

Dated this 16th day of November, 1962.

(PROBATE COURT SEAL)


Probate Judge.

005983091

No. 19,435

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,

Decedent.

Order Appointing Appraisers

Filed November 16th, 19 62

Roselyn H. Hulse
Probate Judge/Clerk.

No. 3579½*

005983092

State of Minnesota, }
County of Stearns }

IN PROBATE COURT

File No. 19.435

IN THE MATTER OF THE ESTATE OF

INVENTORY AND APPRAISAL

Jacob Theis, }
Decedent }

Date of Death Sept. 14, 1952

OATH OF APPRAISERS

State of Minnesota, } ss.
County of Stearns }
Victor Stein }

I, Fred Stein, and

do solemnly swear that I will honestly, faithfully and

impartially perform all the duties of the office and trust which I now assume as appraiser of the estate of

Jacob Theis, decedent to the best of my ability. So Help Me God.

Subscribed and sworn to before me this
4th day of Dec., 1952
Notary Public, Stearns County, Minn.
My commission expires Aug. 16, 1953
(SEAL)

(Fred Stein)

(Victor Stein)

INVENTORY AND APPRAISAL

The undersigned representative of the estate of the above named decedent, represent and shows to the court—

That the following is a true and correct inventory of all the property of the above named estate, both real and personal, which has come into his possession and of which he has knowledge after diligent search and inquiry concerning the same, classified as follows, to-wit:

CLASS I—Real Estate:

	Specify Encumbrances and Respective Amounts	Net Value Over Encumbrances
(a) The homestead of decedent, being in the County of Stearns, State of Minnesota, consisting of 76.29 acres in area described as follows, to-wit: (give acreage) NW1/4 SW1/4 and NE1/4 SW1/4, less Ne'ly 4.21 acres, and South 1 rod of East 79 rods of SE1/4 NW1/4, in Sec. 23, Twp. 123, Rge. 30.	None	\$8000.00
(b) All other real estate of decedent being in the County of _____, State of Minnesota, described as follows, to-wit: None		\$

FORWARDED

00593093

CLASS V—Mortgages, Bonds, Notes and other Written Evidences of Debt: (Show Encumbrances, if any)

(Here list any written obligations of any kind due and owing decedent, with interest rate and maturity, also book and page of record of Mortgages)	Interest to Date of Death	Principal	Appraised Value of Principal & Interest
None	\$	\$	\$
Total Value of Mortgages, Bonds, Notes, etc.			\$ None

CLASS VI—All other Personal Property:

(Here list Cash, Book Accounts, Annuities, Farm Crops, Machinery, etc.)	Specify Encumbrances and Respective Amounts	Net Value Over Encumbrances
None	\$	\$
Total Value of All Other Personal Property		\$ None

SUMMARY

The total value of all the real estate of decedent, as valued by the appraisers herein, is - - \$ 8,000.00
 The total value of all the personal property of decedent, as valued by the appraisers herein, is - - \$ -
 The total value of the entire estate of decedent, as valued by the appraisers herein, is - - \$ 8,000.00

Respectfully submitted,

Robert J. This

Representative

NOTE: If estate is over \$10,000.00 or subject to Inheritance Tax, make this in triplicate and file in Probate Court.

VERIFICATION

State of Minnesota, } ss. Herbert J. Theis
 County of Stearns

being duly sworn, on oath say s... that he is the representative of the estate above specified; that he has read the foregoing inventory subscribed by him and knows the contents thereof and that the same is a true and correct inventory of all of the estate of the decedent that has come to his possession or knowledge.

Subscribed and sworn to before me this
30th day of November, A. D. 1962
John B. Pattison, Jr.
 Notary Public, Stearns County, Minn.
 My commission expires March 20, 1967
Herbert J. Theis
 (Herbert J. Theis)
 Representative

CERTIFICATE OF APPRAISERS

State of Minnesota, }
 County of Stearns
 We, the undersigned appraisers, duly appointed by the Probate Court of Stearns County, Minnesota, to appraise the estate of Jacob Theis, Decedent, having first duly taken and subscribed the oath prescribed by law and hereto annexed, hereby certify and return, that we have carefully examined and considered the inventory of said estate delivered to us by the representative of said estate and the property therein described, and have faithfully and impartially and to the best of our knowledge and ability, appraised the said property, and set down opposite each item thereof in figures the value thereof in money, and have footed up by itself the amount and value of each class of said property, and of the whole of said estate.

Dated this 4th day of December, A. D. 1962
Fred Stein
 (Fred Stein)
Victor Stein
 (Victor Stein) Appraisers

File No. 19,435

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis

Decedent

Inventory and Appraisal

Total Personal	-	\$ <u>None</u>
Total Real Estate	-	\$ <u>8,000.00</u>
Total Appraisal	-	\$ <u>8,000.00</u>

Due service of the within inventory and appraisal is hereby admitted this 5th day of December, 1962

Deputy-Treasurer of
 County, Minnesota

Filed this 5th day of

December, A. D. 1962

Roselyn L. Lusk
 Probate Judge-Clerk

Pattison & Pattison
 Attorneys
 St. Cloud, Minn.

No. 38877

STATE OF MINNESOTA
DEPARTMENT OF TAXATION
INHERITANCE AND GIFT TAX DIVISION
St. Paul 1, Minnesota

INHERITANCE TAX RETURN

State of Minnesota, }
County of Stearns }

Decedent Jacob Theis
Date of Death Sept. 14, 1962

The undersigned hereby returns information concerning the decedent and concerning all transfers of property by the decedent or by reason of his death which may be subject to inheritance tax as defined by M. S. A., Chapter 291.

GENERAL INFORMATION

- (1) Decedent's residence at date of death Wakefield Township, Cold Spring, Minnesota
Street City State
- (2) Place of death Cold Spring, Minn. Birthdate June 10, 1883 Place of birth Cold Spring, Minn.
- (3) Business or occupation Retired farmer
- (4) Married, single, separated, widowed or divorced at date of death Widower
- (5) The name, relationship to decedent and birthplace of spouse, children, or issue of deceased children of decedent, is as follows: (Do not answer if information appears on petition for probate.)

NAME	RELATIONSHIP	DATE OF BIRTH
See petition		

- (6) Did decedent have access to a safe deposit box or other place of safekeeping at the time of his death? No
- A. Name and address of bank or other depository ~~XXXXX~~
- (7) Did the undersigned person or persons filing return make diligent and careful search for property of every kind left by decedent and for information as to any transfer of a material portion of decedent's property during his lifetime without an adequate and full consideration in money or money's worth? Yes
- (8) Will there be Minnesota probate proceedings? Yes
- (9) Do any of the surviving joint tenants in Schedule I claim that they furnished adequate and full consideration or any portion thereof in money or money's worth toward purchase or acquisition of the joint property? No
- Was any of the property held by decedent and others as joint tenants acquired by them by gift or inheritance from a third person? No
- Give details of such claims in Schedule I or by separate affidavits.

INSTRUCTIONS

1. STATUTES: The inheritance tax law appears in M. S. A., Chapter 291. Taxable transfers are defined in M. S. A. 291.01. Filing an inheritance tax return is required by M. S. A. 291.12. Amendments were adopted by Laws of Minnesota 1943, Chapter 504, Section 6, Sub. 2.
2. USE AND PROCEDURE: This return will be used in all estates to report all transfers from deceased persons to heirs or beneficiaries which are not included in the inventory in a Minnesota probate proceeding.
 - A. If there is a Minnesota probate proceeding (general administration, special administration, summary distribution, or petition for decree of descent), the return will be filed with probate court. If a tax may be due, or if a waiver of inheritance tax lien from the commissioner is needed, prepare the return in duplicate.
 - B. If there is no Minnesota probate proceeding, the return must be filed directly with the Department of Taxation, Inheritance and Gift Tax Division, 221 State Office Building, St. Paul 1, Minn.
 - C. If it is claimed that decedent was not a resident of Minnesota, an Affidavit of Non-Residence (Form D. of T. EG 1619) must be filed with this return. In such case, this return will disclose the detail of transfers of property having situs in Minnesota, and the total value of transfers in each class of property having situs elsewhere.
3. DETERMINATION OF TAX: The court will determine the tax upon property included in the probate proceeding. The department will determine the tax upon the transfers disclosed in the return.
4. The representative of the estate or other person executing the return is obliged to report all transfers which may be subject to tax. Each schedule of the return is to be construed as a question which must be answered by describing the transfers or by stating that there were none of this class, if such is the case.
5. Satisfaction or waiver of inheritance tax lien upon the transfer of joint tenancy property can be obtained from the Department of Taxation by use of the Affidavit of Survivorship, Joint Tenancy or Remainderman, D. of T. EG 1018, which may be purchased from a legal stationer.
6. If space in any schedule is insufficient, additional schedules in like form may be attached.
7. The value of all properties transferred and reported herein is the full and fair market value on date of death.

COMMISSIONER OF TAXATION
Director, Inheritance and Gift Tax Division

00593097

SCHEDULE I — PROPERTY HELD IN JOINT TENANCY

All property of whatever kind, whether real estate, personal property, bank accounts, U. S. Savings Bonds, etc., in which the decedent held an interest at the time of his death as a joint tenant or as co-owner with right of survivorship, must be disclosed in this schedule.

Claims of consideration furnished by the survivor, or claims of creation of the joint tenancy by gift or inheritance must be stated in an affidavit giving verifiable details showing the source, nature, amount and

proportion of the survivor's contribution. Exhibits submitted to prove claim will be returned upon request. The homestead of decedent, if included in any of the schedules, must be identified before the exemption in favor of spouse or minor or dependent children can be allowed. Excess homestead area, if any, must be separately described and valued.

Please group all properties transferred to each surviving joint tenant.

Date of Transfer to Joint Tenancy	Description of Property (Legal description of Land; Street Address of City Realty; Acreage of Rural Land). Specify Liens, if any.	Surviving Joint Tenant: Give Name and Relationship to Decedent	Amount's Full and True Value of Realty Or Unit Value of Securities On Date of Death	Gross Market Value of Whole Property
SAMPLE: 6-21-41	Lot 1, blk. 1, Lief's Add. to St. Paul, Ramsey Co., Minn., 6000 Montclair Rd. St. Paul. Homestead. Mortgage, \$1,000.00	Mary Doe, wife	\$2,455.00	\$4,000.00
7-5-42	100 shares General Motors Co., common \$100 par Certificate No. 1392816	John Doe, son	N. Y. S. E. 75 1/4	\$7,550.00
1-10-62	Promissory Note for \$3000.00, dated 1-10-62, due in one year or on demand (60 days notice) at 4 1/2%, payable semi-annually, made by The Church of St. Boniface, Cold Spring, Minn.	Herbert Theis, son		\$ 3,000.00
Total (Col. 5.)				\$ 3,000.00
Less Liens (Col. 2.)				None
Net -				\$ 3,000.00

SCHEDULE II — INSURANCE

Report all life and accident insurance proceeds payable on the death of the decedent to named beneficiaries.

This schedule should not include contracts reportable in Schedule III.

SCHEDULE III—ANNUITIES, DEPOSITS, ETC.

Report all other types of contracts with insurance companies, or others, transferred or payable on decedent's death, including the following: annuities, pensions and retirement funds; supplemental contracts of deposits (which may be proceeds of insurance policies or an-

nalties received from a prior decedent or matured endowment policies, etc.); and cash value of insurance policies on life of another which may have been assigned to this decedent. (None of these are subject to the life insurance exemption.)

SCHEDULE IV — TRANSFERS BY THE DECEDENT

(If any transfer is considered not taxable, so designate. Otherwise designate whether transfer is taxable under A, B or C.)

- A. Transfers in contemplation of death:
Report transfers or gifts by decedent before his death, which are in the nature of a final disposition in anticipation of death. It is presumed that a transfer of a material portion of decedent's property within two years prior to death is made in contemplation of death.
Report gifts made by decedent during his lifetime which total more than \$2,500 to one donee in any year.
- B. Transfers intended to take effect in possession or enjoyment at death:
Report transfers of property by deed, trust, or agreement in which the decedent had retained a life estate, or all or part of the income for life, or a power of revocation.
Report transfers in which the beneficiary's possession or enjoyment takes effect at or after decedent's death or in which the

deed or instrument of title is delivered or recorded at or after decedent's death.

NOTE: Under both A. and B. copies of trust instruments must be attached to the return as exhibits. If it is claimed that any transfer is non-taxable, detailed verified statements of the claim must be attached.

- C. **Powers of Appointment:**
Report the property in respect to which the decedent held a power of appointment at any time. Attach a copy of the instrument granting the power of appointment to the decedent and a schedule of the assets subject to the power at date of death.
- Did the decedent exercise the power? _____
Attach a copy of the instrument exercising the power unless it is a will previously filed for probate. If the power had been relinquished by decedent, attach a copy of the instrument.

(LIST TRANSFERS ON NEXT PAGE)

0059.3099

SCHEDULE IV — TRANSFERS BY THE DECEDENT (Continued)

(If any transfer is considered not taxable, so designate. Otherwise designate whether transfer is taxable under A, B, or C.)

Date of Transfer	Description of Property Transferred (Legal Description of land; Street Address of City Realty; Acreage of Rural Land). Specify Liens, if any.	Transferee and Relationship to Decedent	Assessee's Full and True Value of Property Or Unit Value of Securities on Date of Death	Gross Fair Market Value
	None			
Total (Col. 5.)				None
Less liens (Col. 2.)				
Net				

SCHEDULE V — MISCELLANEOUS

Report the transfer of any property belonging to the decedent which has not been included in a Minnesota probate proceeding and has not been otherwise reported in Schedules I to IV of this return. (In the event of no probate, this schedule may include automobiles, household goods, personal effects, U. S. Postal Savings, U. S. Savings Bonds and other tangible or intangible personal property, if any.)

Description of Property (Specify Liens, if any)	Transferee, Heir or Beneficiary Relationship to Decedent	Full and Fair Market Value on Date of Death	Net Value After Liens
None			

I, Herbert J. Theis
the execut or ~~XXXXXX~~
of the estate of the above named decedent do hereby swear that I have carefully examined the foregoing return, including the separate sheets attached, if any, and that to the best of my knowledge, information and belief, herein is listed all of the property required by law to be included in said return; that all questions have been truly answered; that I have no knowledge of any transfers required to be included in this return except as stated; and that to the best of my knowledge, information and belief the values shown in the foregoing schedules are full and fair market values as of the date of the decedent's death.

Subscribed and sworn to before me this 1st day of December, 19 62
John B. Pattison, Jr.
Notary Public, County of Stearns
My commission expires March 20, 1967

(Signature) Herbert J. Theis
(Herbert J. Theis)
(Address) Cold Spring, Minnesota

File No. 19,435

State of Minnesota,

County of Stearns

Re: Estate of

Jacob Theis, Decedent

INHERITANCE TAX RETURN
DEPARTMENT OF TAXATION

Filed Dec. 5th, 1962
Joseph J. Hunsaker
Clerk of Probate Court

Attorney's Pattison & Pattison

Address 15 - 8th Avenue North

St. Cloud, Minnesota

ORIGINAL

Countersigned at St. Paul, Minnesota
this 15th day of March 1963

By Bary T. Johnson Commissioner of Taxation

STATE OF MINNESOTA — DEPARTMENT OF TAXATION
INHERITANCE TAX RECEIPT

No. 7976

Estate of Jacob J. Hines
Received of Herbert J. Hines, Admin.
the sum of Eighty six and 47/100
in payment of Inheritance Tax as provided by Minnesota Statutes, Chapter 291: 100
Tax..... Dollars

Accrued Interest: from
Total amount of this receipt at above \$ 86.47
per order of the Probate Court or Commissioner of Taxation dated 3/21/63 \$ 86.47
County of Stearns 3/4/63

County Treasurer

MAIL ORIGINAL OF THIS RECEIPT TO COMMISSIONER OF TAXATION TO BE COUNTERSIGNED.
THIS RECEIPT WHEN COUNTERSIGNED, SHALL BE USED AS VOUCHER IN SETTLEMENT OF ACCOUNTS.

OFFICE OF THE ATTORNEY GENERAL
STATE OF TEXAS
MAR 11 1963

ORDER DETERMINING
INHERITANCE TAX

STATE OF MINNESOTA
DEPARTMENT OF TAXATION
INHERITANCE AND GIFT TAX DIVISION
ST. PAUL 1

MAKE PAYMENT TO
COUNTY TREASURER
DESIGNATED
BELOW

IN THE MATTER OF THE ESTATE OF

Pay Tax to County Treasurer

Jacob Theis

1257177

Deceased.

The above entitled matter having come before the Commissioner of Taxation for the assessment of the inheritance tax and upon examination of all the files, records and proceedings herein, the Commissioner of Taxation finds:

1. That the above named decedent died September 14, 1962, a resident of Stearns County, State of Minnesota.

2. That in addition to the estate of decedent subject to probate, gifts in contemplation of death, or transfers to take effect at death; joint tenancy or joint survivorship property; life insurance or annuities; or property subject to a power of appointment are subject to inheritance tax in the amounts determined herein:

Transferee, relationship and type of transfer	Value	Amount of Tax
Herbert J. Theis, son:		
From Estate	6,723.36	
Schedule I, Joint tenancy property	3,000.00	
Schedule II, Insurance	600.00	
	10,323.36	
Less exemption	6,000.00	
	4,323.36	
	Tax	86.47
	Less tax by Court	14.47
	Tax this order	72.00

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED, that the State of Minnesota have and receive from each of the persons above named, as an inheritance tax upon the transfers to him, the amount of tax set opposite his name, together with interest thereon legally due at the rate of 6% per annum from and after

March 14, 1963

until paid; that the said tax be paid to the Treasurer of Stearns County.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the Department of Taxation, at its office in St. Paul, Minnesota March 4, 1963

APPROVED:

ROLLAND F. HATFIELD
Commissioner of Taxation

Commissioner of Taxation

By W. J. Hunt
Deputy Commissioner of Taxation

By
LOUIS PLUTZER, Director
Inheritance and Gift Tax Division

(SEAL) W. J. Hunt

19,435

STATE OF MINNESOTA
DEPARTMENT OF TAXATION
INHERITANCE AND GIFT TAX
DIVISION

In the Matter of the Estate of

Jacob Thais, Deceased.

ORDER AND NOTICE OF
ORDER DETERMINING
INHERITANCE TAX

Amount of Tax - \$ 12.60

Filed March 5th, 1963

B. H. H. H.
Clerk of Probate

STATE OF MINNESOTA
DEPARTMENT OF TAXATION
INHERITANCE AND GIFT TAX DIVISION

NOTICE OF ORDER DETERMINING
INHERITANCE TAX

In the Matter of the Estate of

Jacob Thais

Deceased.

To the Treasurer of Stearns County, and all persons interested in the above named estate:

Please take notice that the Commissioner of Taxation has this day, pursuant to the laws of the State of Minnesota, determined and assessed an inheritance tax upon the transfers of the estate of the above named decedent to the heirs or transferees in the amounts set forth in the attached order.

Dated March 1, 1963

ROLLAND F. HATFIELD
Commissioner of Taxation.

By
LOUIS PLUTZER, Director
Inheritance and Gift Tax Division.

Due service of the above notice and order by copy is hereby admitted this _____ day of

_____, 19____

Taxpayer, his attorney or other agent.

Due service of the above notice and order by copy is hereby admitted this _____ day of

_____, 19____

_____, Treasurer.

_____, County, Minnesota.

EXPLANATION OF PROCEDURE

1. The original order and notice of order assessing inheritance tax are on file in the Department of Taxation. One copy of the order and notice or order is sent directly to probate court. Three copies of the order and notice are sent to the taxpayer, the representative of the estate, or their attorney.
2. The taxpayer, the representative or their attorney will retain one copy and sign the admission of service on another. He will deliver one copy to the county treasurer and obtain the treasurer's admission of service. The copy with admissions of service will be returned to the Department of Taxation, Inheritance and Gift Tax Division, Centennial Office Building, St. Paul 1, Minnesota.
3. Pay the tax assessed together with interest, if any, to the treasurer of the county of probate proceedings as directed by the order.

00593104

State of Minnesota.

County of Stearns

IN PROBATE COURT.

In the Matter of the Estate of

Jacob Theis,

Decedent.

ORDER ALLOWING FINAL ACCOUNT.

The above entitled matter came on to be heard on the 15th day of March, 1963, upon the petition of the representative of the above named estate praying for the allowance of his final account and for distribution of the residue of said estate.

The said representative appeared in person and by Attorneys, Pattison & Pattison, and no one appeared in opposition thereto.

The Court after due consideration of said petition, the evidence adduced in support thereof, and the files and records in said matter, finds the following facts:

First—That due notice of the said hearing of said petition has been given as required by law by the publication of the citation of this Court, for said hearing, dated the 18th day of February, 1963, in the St. Cloud Daily Times. Proof of publication of said notice of hearing and affidavit of service by mail having been filed in this Court.

Second—That the said final account set forth in said petition has been examined, adjusted and settled by the Court, and as so adjusted and settled, is hereby found to be correct; a summary statement of which account is as follows, to-wit:

RECEIPTS

Personal estate as described in the inventory	\$	
Personal estate omitted from the inventory	\$	
Gain by sales above appraised value	\$	
Cash from sales of real estate	\$	
Cash from rent of real estate	\$	
Cash from interest and profits	\$	
Cash from other sources	\$	1,305.64
	\$	
Total receipts from all sources	\$	1,305.64

DISBURSEMENTS AND CREDITS

Estate selected for surviving spouse	\$	
Maintenance of family of decedent	\$	
Expenses of administration	\$	364.25
Expenses of last sickness	\$	5.00
Funeral expenses	\$	936.39
Taxes	\$	
Claims of creditors of decedent	\$	
Legacies	\$	
	\$	
Residue on hand for distribution	\$	
Total credits	\$	1,305.64

Third—That all taxes, including personal property taxes, assessed against said estate, have been paid so far as there were funds of said estate to pay the same.

Fourth—As a conclusion from the foregoing facts, IT IS HEREBY ORDERED, that said account, as adjusted by the court, be, and the same hereby is, settled and allowed as and for the final account of said representative of said estate.

Dated March 15th, 19 63

By the Court,

John Long
Probate Judge.

No. 19,435

State of Minnesota,

County of Stearns

PROBATE COURT.

In the Matter of the Estate of

Jacob Theis, Decedent

Order Allowing Final Account.

Filed this 15th day of
March, 1963, and
recorded in Book No. of Orders,
on Page.

Joseph H. Hays
Clerk-Judge of Probate.

No. 3508*

State of Minnesota,

County of Stearns

IN PROBATE COURT

File No. 19,435

IN THE MATTER OF THE ESTATE OF

Jacob Theis,

Decedent.

Final Decree of Distribution

The above entitled matter came on to be heard on the 15th day of March, 1963, upon the petition of the representative of said estate for the distribution of the residue of said estate to the persons thereunto entitled. The representative of said estate appeared in person and by attorney, S. Pattison & Pattison, and no one appeared in opposition thereto.

And the court having considered the evidence produced at said hearing, the arguments of counsel, and the files and records in said matter, finds the following facts:

FIRST—That notice of said hearing has been duly given and served as required by law and the order of this court for said hearing.

SECOND—That the said estate has been in all respects fully administered, and the expenses of the administration thereof and of the last sickness and burial of said decedent, and all claims allowed against said estate have been fully paid,

and that said representative has filed his final account herein which has been settled and allowed by the Court. That all inheritance taxes determined by the Court to be due the State of Minnesota have been paid.

THIRD—That said decedent died testate on the 14th day of September, 1962, and at the time of his death decedent was a resident of the County of Stearns and State of Minnesota.

FOURTH—That the residue of the estate of said decedent for distribution consists of the following property, to-wit:

(A) Personal property of the value of \$_____ comprising of the following items:

None

(B) Real property described as follows: The homestead of decedent situate in the County of _____
Stearns _____, State of Minnesota, described as follows to-wit:

(C) Other tract... of land lying and being in the County of _____ Stearns _____
State of Minnesota, described as follows, to-wit:

That part of the Southeast Quarter of the Northwest Quarter of Section Twenty-three (23), Township 123, Range 30, described as follows:
Commencing one (1) rod North of the Southeast Corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$, thence West 79 rods; thence Northerly to the Westerly line of Township road, containing .50 acres, more or less, being a strip sixteen and one-half (16 $\frac{1}{2}$) feet wide Southerly and Westerly of above description.

The Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW) and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW) of Section Twenty-three (23), in Township One Hundred Twenty-three (123) North of Range Thirty (30) West, less and except the following described tracts:

- (1) Beginning at the Northwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 23, Township 123, Range 30; thence running South on the Quarter section line 28 rods; thence in a rectangle West 17 rods; thence in a rectangle North 4 rods and 9 feet; thence in a triangle Northeast 23 rods and 21 feet to place of beginning, containing 1.72 acres, more or less;
- (2) Beginning at the Northeast corner of the NE $\frac{1}{4}$ SW of Sec. 23, Township 123, Range 30, thence running South along the East line of said NE $\frac{1}{4}$ SW 32 rods; thence running West a little North 20 rods and 5 feet; thence running East along the North line of said NE $\frac{1}{4}$ SW 21 $\frac{1}{2}$ rods to the place of beginning, less and except the tract described in paragraph 1 above;
- (3) Beginning at the Northeast corner of the NE $\frac{1}{4}$ SW of Sec. 23, Township 123, Range 30, thence South on the quarter section line 28 rods to the point of beginning; thence West and parallel with the North line of the NE $\frac{1}{4}$ SW a distance of 19 rods; thence South and parallel with the East line of the NE $\frac{1}{4}$ SW a distance of 3 rods; thence East and parallel with the North line of the NE $\frac{1}{4}$ SW a distance of 19 rods; thence due North on the quarter section line a distance of 3 rods to the point of beginning.

FIFTH—That the following named ~~persons~~ person is the sole residuary
legatee and devisee

_____ of said decedent, and ~~are~~ is
/of the persons entitled to the residue of said estate of said decedent, to-wit:

Herbert J. Theis, son of decedent.

NOW, THEREFORE, On motion of Pattison & Pattison, Attorneys for the

_____ representative of said estate, and by virtue of the power and authority vested in this court by law, IT IS HEREBY
ORDERED, ADJUDGED AND DECREED, and the said court does hereby ORDER, ADJUDGE AND
DECREE, that all and singular the above described PERSONAL PROPERTY be, and the same hereby is, assigned to
and vested in the above named persons, in the following proportions and estates, to-wit:

None for distribution.

And that the title to the above described real estate _____ has passed to and is hereby assigned to and vested in the above named persons in the following proportions and estates, to-wit:

All thereof to the said Herbert J. Theis, in fee simple.

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said above named person _____ his _____ heirs and assigns; without prejudice, however, to any lawful conveyance of said property or any part thereof by said person, or any of them, heretofore made.

Dated at St. Cloud, Minnesota, this 19th day of March, 19 63

PROBATE
COURT
SEAL

John Long
Probate Judge.

State of Minnesota,

ss.

PROBATE COURT

County of _____

I, _____ of the Probate Court, within and for said County, and Custodian of the Seal and Records of said Court, do hereby certify that I have compared the foregoing copy of Final Decree of Distribution with the original record thereof preserved in this office and have found the same to be a correct transcript of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Court, at _____

in said County, this _____ day of _____, 19 _____

_____ of the Probate Court.

File No. 12,435

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis, Decedent.

Final Decree of Distribution

Office of Register of Deeds,

State of Minnesota.

County of _____

I hereby certify that the within Instrument was filed in this office for record on

the _____ day of _____, 19 _____, at _____ o'clock _____ M.

and was duly recorded in Book _____

of _____, page _____

Register of Deeds.

By _____ Deputy.

Transfer entered this _____

day of _____, 19 _____

County Auditor.

By _____ Deputy.

Filed this 19th day of March _____

19 63, and recorded in Book _____

of Decrees, page _____

Joseph H. Johnson

Clerk of Probate Court.

No. 1981

00593113

STATE OF MINNESOTA,
COUNTY OF STEARNS

PROBATE COURT
FILE No. 19,435

RE ESTATE OF
Jacob Theis,

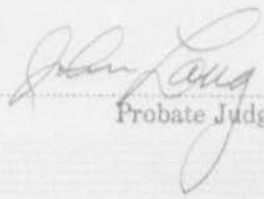
~~Ward~~ Decedent.

ORDER DISCHARGING
REPRESENTATIVE ~~/GUARDIAN/~~

Herbert J. Theis
the Representative herein, having complied with all the orders and
decrees of the court and with the provisions of law and having fully discharged his trust,

IT IS ORDERED, that said representative ~~Herbert J. Theis~~ and his ~~successors~~ herein are hereby finally
discharged and that the representative's ~~guardian's~~ bond is hereby cancelled.

Dated March 19th 19 63.


Probate Judge.

(COURT SEAL)

005983114

FILE NO. 19,435

STATE OF MINNESOTA,
COUNTY OF STEARNS
PROBATE COURT

RE ESTATE OF

Jacob Theis, ~~Wife~~/Decedent.

ORDER DISCHARGING
REPRESENTATIVE ~~WARRANT~~/

Filed this 19th day of March

19 63, and Recorded in Book

on Page thereof.

Wesley K. Kuylenstierna
Clerk of Probate.

005983775

STATE OF MINNESOTA,

COUNTY OF STEARNS

RE ESTATE OF

Jacob Theis,

PROBATE COURT
FILE NO. 19,435

IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on
Friday, November 2nd, 1962, at 9 o'clock A. M. by this court in the Court House
in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date
hereof and that said claims be heard on Friday,
A. M. by this court in the Court House in St. Cloud, Minn.
February 15th, 1963, at 9 o'clock

(SEAL)

Dated this

9th

day of

October

, 1962

Pattison & Pattison,

Attorney S.


Probate Judge.

NOTE: Make this order in duplicate.

FILE NO. 17,435

STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT

RE ESTATE OF

Jacob Thels,

Decedent.

ORDER FOR HEARING PETITION
TO ADMIT WILL AND NOTICE
TO CREDITORS

Publish in Daily Times

Hearing Will NOV. 2nd, , 1962

Hearing Claims Feb. 15th, 1963

FILED THIS

9th

DAY

OF

Stearns County

CLERK OF PROBATE

STATE OF MINNESOTA,
COUNTY OF STEARNS

RE ESTATE OF

Jacob Theis,

PROBATE COURT
FILE No 19,435

Decedent.

IT IS ORDERED that the final account and petition for examination thereof and for distribution filed herein be heard
on Friday,
in St. Cloud, Minn., March 15th,
19 63, at 9 o'clock A. M. by this court in the Court House

(SEAL)

Dated this
Pattison & Pattison,

18th

day of

February

Attorney.S.

1963
John J. [Signature]
Probate Judge.

NOTE: Make this order in duplicate.

FILE NO. 19,435

STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT

RE ESTATE OF

Jacob Thels, Decedent.

ORDER FOR EXAMINATION OF
FINAL ACCOUNT

Publish in: Daily Times
March 15th , 19 63
Hearing

FILED THIS 18th DAY
OF February A.D. 1963
Clerk of Probate
Joseph H. Hansen

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

In the Matter of the Estate of

Jacob Theis,

Decedent }

ORDER LIMITING TIME

Letters Testamentary of said estate

this day having been granted unto Herbert J. Theis

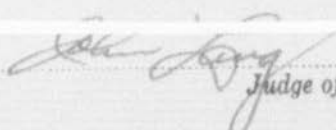
of said County, it is ordered that the said Herbert J. Theis

be, and he is hereby allowed twelve months from and after the date hereof, for the settlement of said estate.

By the Court,

Dated November 30th, 19 62

(Court Seal)


Judge of Probate

005943420

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Jacob Theis,

Decedent.

Order Limiting Time to
Settle Estate

Filed this 30th day of

November, 19 62, and

recorded in book

of Orders at Page

Roselyn B. Lush
Clerk—Judge of Probate

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,

Decedent.

State of Minnesota,

County of Stearns

ss.

J. B. Pattison, Jr.

being duly sworn, on oath says; that he is the attorney for the petitioner in the matter above entitled and has full knowledge of the facts herein set forth; that on the 15th day of October 1962, he mailed a true

copy of the printed order hereto attached and made a part hereof by enclosing it in a sealed envelope and depositing the same in the Post Office at the City of St. Cloud, County and State aforesaid, postage prepaid, addressed to each of the following named persons at their respective addresses stated below; and that they are all of the heirs at law of the above named decedent all of the legatees and devisees named in the will of said decedent whose names and addresses he has been able to ascertain after due diligence, to-wit:

Names

Addresses

Names

Addresses

Mr. Herbert J. Theis Cold Spring, Minnesota

Mrs. Peter Jungels Watkins, Minnesota

Mrs. Thomas Mathies Watkins, Minnesota

Mrs. Gerhard Birk Rockville, Minnesota

Mrs. Cyril Ficker Watkins, Minnesota

Mrs. August Brutger Watkins, Minnesota

Mrs. Richard Kosloski Cold Spring, Minnesota

STATE OF MINNESOTA,
COUNTY OF STEARNS

PROBATE COURT

File No. 18,433

RE ESTATE of Jacob Theis, Decedent.

IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on Friday, November 2nd, 1962, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

IT IS ORDERED that creditors of decedent file their claims in this court within four months from the date hereof and that said claims be heard on Friday, February 15th, 1963, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

Dated this 9th day of October, 1962.
(SEAL)

JOHN LANG

Probate Judge.

PATTISON & PATTISON,

Attorneys

Publish: October 11, 12, 15, 1962.

Subscribed and sworn to before me this 15th day of October, 1962.

Ida E. Zdunek - Notary Public, Stearns County, Minn.

My commission expires July 15, 1963

J. B. Pattison, Jr.

00593122

19,435

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,

Decedent.

**AFFIDAVIT OF SERVICE
BY MAIL**

OF ORDER FOR HEARING
ON PETITION FOR PROBATE
OF WILL AND CLAIMS

Filed this 15th day of

October, 19 62

Roselyn Thulhouse
Clerk—Judge of Probate.

005983123

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,

Decedent,

State of Minnesota,

County of Stearns

ss.

J.B. Pattison, Jr.

being duly sworn, on oath says; that he is the attorney for the petitioner
in the matter above entitled and has full knowledge of the facts herein set forth; that
on the 23rd day of February 1963, he mailed a true

copy of the printed order hereto attached and made a part hereof by enclosing it in a sealed envelope and
depositing the same in the Post Office at the City of St. Cloud,
County and State aforesaid, postage prepaid, addressed to each of the following named persons at their respective addresses
stated below; and that they are all of the heirs at law of the above named decedent all of the legatees and devisees
named in the will of said decedent whose names and addresses he has been able to ascertain after due diligence, to-wit:

Names

Addresses

Names

Addresses

Mr. Herbert J. Theis Cold Spring, Minnesota

Mrs. Peter Jungels Watkins, Minnesota

Mrs. Thomas Mathies Watkins, Minnesota

Mrs. Gerhard Birk Rockville, Minnesota

Mrs. Cyril Ficker Watkins, Minnesota

Mrs. August Brutger Watkins, Minnesota

Mrs. Richard Kosloski Cold Spring, Minnesota

Subscribed and sworn to before me this 23rd
day of February, 1963.

Ida E. Zdunek - Notary Public, Stearns County, Minn.
Benton

My commission expires July 15, 1963

STATE OF MINNESOTA,
COUNTY OF STEARNS.PROBATE COURT
File No. 18,423RE ESTATE OF Jacob Theis, De-
cedent.

IT IS ORDERED that the final ac-
count and petition for examination there-
of and for distribution filed herein be
heard on Friday, March 15th, 1963, at 9
o'clock A.M. by this court in the Court
House in St. Cloud, Minn.

Dated this 18th day of February, 1963.
(SEAL)

JOHN LANG,
Probate Judge.PATTISON & PATTISON,
Attorneys.

Publish Feb. 21, 22, March 7, 1963.

J.B. Pattison, Jr.

00593124

19,435

State of Minnesota.

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis,

Decedent.

**AFFIDAVIT OF SERVICE
BY MAIL**

OF ORDER FOR HEARING ON
FINAL ACCOUNT

Filed this 27th day of

February, 1963

Loselyn Hinchman
Clerk—Judge of Probate.

005983125

STATE OF MINNESOTA,
COUNTY OF STEARNS.

PROBATE COURT
File No. 19,433

RE ESTATE OF Jacob Theis, De-
cedent.

IT IS ORDERED that the final ac-
count and petition for examination there-
of and for distribution filed herein be
heard on Friday, March 15th, 1963, at 9
o'clock A.M. by this court in the Court
House in St. Cloud, Minn.

Dated this 18th day of February, 1963.
(SEAL)

JOHN LANG,
Probate Judge.

PATTISON & PATTISON,
Attorneys.

Publish Feb. 21, 26, March 7, 1963.

STATE OF MINNESOTA,
COUNTY OF STEARNS

ss.

Wilfred F. Miller, being duly sworn on oath says:

that he is, and during all times herein stated has been, the Bookkeeper

of the Times Publishing Company, the publisher of the newspaper
known as The St. Cloud Daily Times and has full knowledge of the facts hereinafter stated.

That for more than one year prior to the publication therein of the Order for Hearing
on Final Account

hereinafter described
said newspaper was printed and published in the City of St. Cloud, in the County of Stearns, State of
Minnesota, daily except Sundays and holidays; that during all said time said newspaper has been printed
in the English language from its known office of publication within the City of St. Cloud from which it
purports to be issued as above stated and in newspaper format and in column and sheet form equivalent
in space to at least 450 running inches of single column, two inches wide; has been issued daily except
Sundays and holidays from a known office established in said place of publication and employing skilled
workmen and the necessary material for preparing and printing the same; that the press work on that
part of the newspaper devoted to local news of interest to the community it purports to serve has been
done in its known office of publication; that during all said time in its makeup not less than twenty-five
per cent of its news columns have been devoted to local news of interest to the community it purports to
serve; that during all said time it has not wholly duplicated any other publication, and has not been
entirely made up of patents, plate matter and advertisements; has been circulated in and near its said
place of publication to the extent of at least two hundred and forty (240) copies regularly delivered to
paying subscribers and has entry as second class matter in its local postoffice; and that there has been
on file in the office of the County Auditor of Stearns County, Minnesota, the affidavit of a person having
knowledge of the facts, showing the name and location of said newspaper and the existence of the condi-
tions constituting its qualifications as a legal newspaper.

That the Order for Hearing on Final Account

hereto attached was cut from the columns of said newspaper, and was printed and published therein in
the English language, once each week, for three successive weeks; that it was first so published
on Thursday the 21st day of February 19 63
and thereafter on Thursday of each week to and including the 7th
day of March 19 63

and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is
hereby acknowledged as being the size and kind of type used in the composition and publication of said
notice, to-wit:

abcdefghijklmnopqrstuvwxyz

Subscribed and sworn to before me this

7th day of March

19 63

Notary Public, Stearns County, Minnesota.

My Commission expires

Sept. 29th

19 65

005883126

19.435

PRINTER'S
Affidavit of Publication
OF
THE ST. CLOUD DAILY
TIMES

Of...Order for Hearing on.....

Final Account.....

.....

.....

.....

.....

.....

..Estate of Jacob Theis.....

..Decedent.....

1

FILED THIS 8th DAY
OF March A.D. 1963
Roselyn K. Kuhl
CLERK OF COURT

0059 3127

FINAL ACCOUNT AND PETITION FOR SETTLEMENT

State of Minnesota, }
 County of Stearns } ss.

19435

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Jacob Theis }
 Decedent }

Final Account and Petition
for Settlement

Date of death September 14, 1942.

Your petitioner respectfully represents and shows to the court:

FIRST--That he is the representative of the estate of the above named decedent.

SECOND--That as such representative he has fully administered the said estate, has paid and satisfied all claims against said estate allowed by the court, and has in all things complied with the orders of this court in said matter and with the law relating thereto.

THIRD--That he herewith renders his final account of his said administration, which is as follows, to-wit:

RECEIPTS

To be Filled in by the
RepresentativeNot to be Filled in by
the Representative

Personal property described in the inventory	-	-	-	-	-	-	-	-	\$	None	\$
Personal estate omitted from the inventory	-	-	-	-	-	-	-	-	\$		\$
Gain by sales above appraised value	-	-	-	-	-	-	-	-	\$		\$
Cash from sales of real estate	-	-	-	-	-	-	-	-	\$		\$
Cash from rent of real estate	-	-	-	-	-	-	-	-	\$		\$
Cash from interest and profits	-	-	-	-	-	-	-	-	\$		\$
Cash from other sources	-	-	-	-	-	-	-	-	\$		\$
Cash advance by Herbert J. Theis	-	-	-	-	-	-	-	-	\$	1305.64	\$
	-	-	-	-	-	-	-	-	\$		\$
	-	-	-	-	-	-	-	-	\$		\$
	-	-	-	-	-	-	-	-	\$		\$
Total receipts from all sources	-	-	-	-	-	-	-	-	\$	1305.64	\$

DISBURSEMENTS

I. FAMILY

Voucher
Number

Personal property selected by and turned over to surviving spouse	-	-	-	-	-	-	-	-	\$		\$
Maintenance of family of decedent	-	-	-	-	-	-	-	-	\$		\$
Total	-	-	-	-	-	-	-	-	\$	None	\$

II. EXPENSES OF ADMINISTRATION

Loss from sales of personal property at less than appraised valuation	-	-	-	-	-	-	-	-	\$		\$
Cash paid to appraisers for services	-	-	-	-	-	-	-	-	\$	None	\$
Cash paid for publication of orders	-	-	-	-	-	-	-	-	\$	18.00 R	\$
Repairs to real estate	-	-	-	-	-	-	-	-	\$		\$
Cash paid for insurance	-	-	-	-	-	-	-	-	\$		\$
Expenses of representative	-	-	-	-	-	-	-	-	\$		\$
Compensation of representative	-	-	-	-	-	-	-	-	\$		\$
Fees of Attorney	-	-	-	-	-	-	-	-	\$	290.00	\$
Bond of Representative	-	-	-	-	-	-	-	-	\$	10.00 R	\$
Certified copies (Probate Court)	-	-	-	-	-	-	-	-	\$	3.00 R	\$
Register of Deeds, recording	-	-	-	-	-	-	-	-	\$	4.25 R	\$
Abstract of title	-	-	-	-	-	-	-	-	\$	29.00 R	\$
Witness fee	-	-	-	-	-	-	-	-	\$	10.00 R	\$
	-	-	-	-	-	-	-	-	\$		\$
	-	-	-	-	-	-	-	-	\$		\$
	-	-	-	-	-	-	-	-	\$		\$
	-	-	-	-	-	-	-	-	\$		\$
Total expense of administration	-	-	-	-	-	-	-	-	\$	364.25	\$

00593128

III. EXPENSES OF LAST SICKNESS

	VOUCHER NO.	AMOUNT
Cash paid for medical attendance		\$ 5.00
Cash paid for medicines		\$
Cash paid for nursing		\$
Cash paid for hospital		\$
Total expenses of last sickness		\$ 5.00

IV. FUNERAL EXPENSES

[illegible]

V. TAXES

	\$	
Personal property tax lien at date of death -	-	-
Other personal property taxes -	-	-
Real property tax lien at date of death -	-	-
Other real estate taxes -	-	-
Federal estate taxes -	-	-
Federal income taxes; personal to decedent -	-	-
Federal income taxes; fiduciary -	-	-
State income taxes; personal to decedent -	-	-
State income taxes; fiduciary -	-	-
Total taxes paid -	-	-
	\$	None

VI. CLAIMS OF CREDITORS

CASH PAID IN SETTLEMENT OF CLAIMS OF CREDITORS AS ALLOWED BY THE COURT AS FOLLOWS:

[illegible]

VII. LEGACIES AND BEQUESTS

[illegible]

RECAPITULATION

	RECEIPTS	DISBURSEMENTS	Not to be filled in by Representative RECEIPTS
Total receipts from all sources - - - - -	\$ 1,305.64		\$
Total disbursements and credits as follows:			Disbursements
1. Family - - - - -		\$ none	\$
2. Expenses of administration - - - - -		\$ 364.25	\$
3. Expenses of last sickness - - - - -		\$ 5.00	\$
4. Funeral Expenses - - - - -		\$ 936.39	\$
5. Taxes - - - - -		\$ none	\$
6. Claims of creditors - - - - -		\$ none	\$
7. Specific Legacies - - - - -		\$ none	\$
8. Residue of personal prop. for distribution - - - - -		\$ none	\$
9. - - - - -		\$	\$
10. - - - - -		\$	\$
11. - - - - -		\$	\$
12. - - - - -		\$	\$
13. - - - - -		\$	\$
Total - - - - -	\$ 1,305.64	\$ 1,305.64	\$

FOURTH—That there is also belonging to said estate for distribution certain real estate as follows:

The homestead of said decedent, in the County of Stearns, State of Minnesota, described as follows: The Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW) and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-three (23), in Township One Hundred Twenty-three (123) North of Range Thirty (30) West, less and except the following described tracts:

- (1) Beginning at the Northwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 23, Township 123, Range 30; thence running South on the Quarter section line 28 rods; thence in a rectangle West 17 rods; thence in a rectangle North 4 rods and 9 feet; thence in a triangle North-east 23 rods and 2 $\frac{1}{2}$ feet to place of beginning, containing 1.72 acres, more or less;
- (2) Beginning at the Northeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 23, Township 123, Range 30, thence running South along the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ 32 rods; thence running West a little North 20 rods and 5 feet; thence running North a little West 27 rods to a point on the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence running East along the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ 21 $\frac{1}{2}$ rods to the place of beginning, less and except the tract described in paragraph 1 above;

Also these other tracts and parcels of land in the County of Stearns, State of Minnesota, described as follows:

- (3) Beginning at the Northeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 23, Township 123, Range 30, thence South on the quarter section line 28 rods to the point of beginning; thence West and parallel with the North line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 19 rods; thence South and parallel with the East line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 3 rods; thence East and parallel with the North line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 19 rods; thence due North on the quarter section line a distance of 3 rods to the point of beginning.

Also those other tracts and parcels of land in the County of Stearns, State of Minnesota, described as follows: That part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 123, Range 30, described as follows: Commencing one (1) rod North of the Southeast corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$, thence West 79 rods; thence Northerly to the Westerly line of township road, containing .50 acres, more or less, being a strip sixteen and one-half (16 $\frac{1}{2}$) feet wide Southerly and Westerly of above description.

ABOVE LANDS SPECIFICALLY DEVISED TO HERBERT J. THEIS.

Ava L. Davis

FOURTH (A)—Personal property for distribution consists of the following items: None.

FIFTH—That said decedent died on the 14th day of September, 1962,

testate, and left him surviving him, Christiana Magdalen Theis Jungels, Adeline Elizabeth Theis Mathies, Agatha Genevieve Theis Birk, Barbara Clara Theis Ficker, Loretta Marie Theis Brutger, Dorothy Irene Theis Kosloski and Herbert J. Theis, children of decedent,

who are the residuary legatees and devisees of said decedent, and the persons entitled to the residue of said estate.

WHEREFORE, your petitioner prays the order of this court fixing a time and place for the hearing of this petition and an examination of his final account, and the settlement and allowance of the same; and that upon said hearing the court issue its final decree assigning the residue of said estate to the persons thereunto entitled.

Dated February 18, 1963

Herbert J. Theis

Petitioner

State of Minnesota,

County of Stearns

ss.

Herbert J. Theis

being duly sworn on oath says that he is the person who made the foregoing petition; that he knows the contents thereof, and that the same is true of his own knowledge except as to those matters therein stated on his information and belief, and as to those matters he believes it to be true.

Subscribed and sworn to before me this

18th day of February, 1963

John D. Pattison, Jr.

John D. Pattison, Jr.

Notary Public

Stearns

County, Minn.

Herbert J. Theis

Representative

My commission expires March 20, 1967

NOTE (1) Insert "Sole devisees" or "All the heirs at law" as the case may be.

NOTE (2) Number your receipts and enter them in your (voucher No.) column.

19,435

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Jacob Theis

Decedent

Final Account and Petition for
Hearing and Allowance
Thereof

Pattison & Pattison
Attorney s. for Petitioner

Filed this 18th day of

February, 1963

Joseph H. Hays
Clerk—Judge of Probate

No. 3149*

00593131