



[Stearns County \(Minn.\)](#)
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State of Minnesota,
County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Virginette Tretter

Decedent.

19,586
Petition for Appointment of Special
Administrator

Your petitioner respectfully represents and states to the court:

First—That he is a resident of St. Cloud in the County of Stearns

State of Minnesota, and is interested in the said estate of decedent as representative of Steven Kowalzek and Christine Kowalzek, parents of Virginette Tretter, to handle and manage estate of Virginette Tretter.

Second—That said decedent died in testate on the 3rd day of February 1963, at St. Cloud in the County of Stearns State of Minnesota, and at the time of her death was a resident of the County of Stearns State of Minnesota, citizen of United States, and left estate in the County of Stearns, State of Minnesota, of the character and estimated value following, to-wit:

PERSONAL PROPERTY

(1st)	Household goods of the estimated value of - - - - -	\$ 500.00
(2nd)	Wearing apparel of the estimated value of - - - - -	\$
(3rd)	Capital stock of the estimated value of - - - - -	\$
(4th)	Notes, bonds, mortgages and other evidences of indebtedness of the estimated value of -	\$
(5th)	Contract for deed purchase of homestead described below (equity value)	\$ 500.00
		\$
	Total personal property - - - - -	\$ 1,000.00

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

A. City Property - house and lot at 902-26th Avenue North,
St. Cloud, Minnesota \$

(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 \$

Third—That it is necessary and expedient that a special administrator of said estate be appointed, for the following reasons: decedent killed and next-of-kin all reside outside of the City of St. Cloud and it is necessary and expedient that someone be vested with authority to handle the estate of the deceased until such time as letters of general administration can be issued.

Fourth—That Ralph R. Opatz who is a resident of St. Cloud, Stearns County, Minnesota, and whose post office address is 1500 Clearwater Road is a suitable person to act as special administrator of said estate

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

[illegible]

Wherefore, Your petitioner prays that special administration of said estate be granted by the court; and that upon due qualification by him, special letters of administration be to said Ralph R. Opatz

Dated March 15, 1963.

be grafted.

Ralph R. Opatz

Petitioner.

State of Minnesota.

28

County of Stearns

Ralph R. Opatz

being duly sworn, on oath says that he is the person who made and signed the foregoing petition; that he has read the said petition and knows the contents thereof, and that the same is true of 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.

Subscribed and Sworn to Before me this

day of March, 1963

Ralph R. Opatz

Notary Public _____ County, Minn.

My commission expires _____, 19____

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Virginette Tretter,

Petition for Appointment of Special Administrator

Filed this 18th day of

March 19 63

Probate Judge
Clerk

State of Minnesota,
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Virginette Tretter,

Decedent.

Order Granting Special Administration

On reading and filing the petition of Ralph R. Opatz,
praying that special administration of the estate of the above named decedent be granted to

Ralph R. Opatz, and upon due consideration of said
petition and the evidence adduced in support thereof, the court finds:

FIRST—That said decedent died on the 3rd day of February, 1963,
and at the time of his death was a resident of the County of Stearns
State of Minnesota, and at the time of his death left estate in the County of
Stearns State of Minnesota.

SECOND—That it is necessary and expedient that someone be (1)
vested with authority to handle the estate of the deceased until such
time as letters of general administration can be issued.

THIRD—That it is necessary and expedient, for the preservation and best interests of said estate, that special
administration of said estate be granted.

NOW THEREFORE, IT IS ORDERED, That special administration of said estate be, and the same here-
by is, granted; and that Ralph R. Opatz be, and he hereby is, appointed
such special administrator of said estate, to administer the same according to law until the further order of this court
or the appointment and qualification of a general representative of said estate according to law; and that before letters
of special administration are to him issued, he shall take and file his oath as required by law, and file his bond in the
penal sum of One Thousand and no/100 (\$1,000.00) - - - - - Dollars,
with sufficient sureties as provided by law, to be approved by the Judge of this court and conditioned as by law required.

Dated March 18th, 1963

John Long
Judge of Probate.

Note: (1) Here state the facts necessitating special administration.

00070267

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Virginette Tretter,
Decedent.

Order Granting Special Administration

Filed this 18th day of

March, 19 63, and recorded

in Book " " of Orders.

Per
Rodney K. Kiplinger
Clerk of Probate Court.

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Virginette Tretter,

Letters of Special Administration

Decedent.

Decedent died on February 3rd, 1963

Ralph R. Opatz

having filed in this court his oath and bond to act as special administrator of the estate of the above named decedent, as required by law:

It is Ordered. That the said Ralph R. Opatz be, and he hereby is, appointed special administrator of said estate of said decedent, with full power to take charge of said estate, to collect all the personal property thereof, to care for, gather and secure crops, to preserve all the property of said estate for the executor or administrator who may hereafter be appointed of said estate, to commence and maintain actions in behalf of said estate, to make and return a true inventory of all the property of said estate to this court as speedily as possible; and by leave of this court, sell the personal property of said estate, take charge of the real property thereof and lease the same for a term not exceeding one year, and to do all other things necessary for the preservation of said estate, and which as such special administrator he may do pursuant to law, until the further order of this court or until a general representative of said estate is appointed and has qualified; and upon the termination of his said trust and wherever required by the court to account to this court for his doing hereunder, and upon the granting of letters testamentary or of administration to a general representative of said estate, to forthwith deliver to him all the property of said estate in his hands.

Dated March 18th

19 63

John Long
Probate Judge.

00070269

State of Minnesota.

County of _____

IN PROBATE COURT

I, _____ Judge of the Probate Court of said County, do hereby certify that I have compared the foregoing Letters of Administration with the original records thereof preserved in said Probate Register, and that the same is a true copy of said original and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the Probate Court of said County, at _____ day of _____

A. D. 19 _____

of _____

County, Minn.

Judge of Probate.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Virginette Tretter,

Letters of Administration

(Long Form)

Filed this 18th day of
March 19 63, and recorded
in Book " " of Letters,

Page _____

Clerk

Judge of Probate.

No. 3071*

Minnesota

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

KANSAS CITY CHICAGO SIOUX FALLS
DALLAS PALO ALTO

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

STATE OF MINNESOTA

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of Virginette Treiter

☐ Minor(s) ☐ Incompetent ☒ Deceased

KNOW ALL MEN BY THESE PRESENTS:

BOND No. 22-FID-20124

That we, Ralph R. Opatz, 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
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 R. Gessner, Asst. Secy.
and its corporate seal to be hereto attached by authority of its Board of Directors, this
18th day of March, 1963.

Signed, Sealed and Delivered in Presence of
Witness to Principal

Ralph R. Opatz
Ralph R. Opatz Principal

Judy F. Winstenberg
Witness to Surety

Principal
WESTERN SURETY COMPANY

By R. Gessner, Asst. Secy.
Countersigned

By Frank J. Jankowski
Minnesota Resident Agent

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF MINNESOTA

County of Stearns

On this 18th day of March, 1963, before me personally
appeared Ralph R. Opatz, 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 June 28, 1967 Notary Public, Stearns County, Minnesota

ACKNOWLEDGMENT OF SURETY (Corporate Officer)

County of Minnehaha

On this 18 day of March, 1963, before me
appeared R. Gessner, 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 4-19, 1968 Notary Public, Minnehaha County, South Dakota

APPROVAL

I hereby approve the within Bond and the Surety thereon, this 18th day of

March, 1963

John Long
Probate Judge

OATH OF REPRESENTATIVE

STATE OF MINNESOTA

County of Stearns

I, Ralph R. Opatz

do swear that I will faithfully and justly

perform all the duties of the office and trust which I now assume as Special Administration

of the Estate of the above named Virginette Tretter

to the best of my ability and according to law, so help me God.

Subscribed and sworn to before me this

18th

day of

March

, 1963

My Commission Expires

, 19

Notary Public,

County, Minnesota

My Commission Expires Dec. 27, 1963.

WESTERN SURETY COMPANY

One of America's Oldest Surety Companies
NATIONAL BUREAU OF SURETY

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

Virginette Tretter

☐ Minor(s) ☐ Incompetent
☐ Deceased

Filed the 18th day of

March, 1963, and said

bond recorded in Book of

Bonds, page of Probate
Records.

Clerk

☐ Clerk ☐ Judge of Probate

State of Minnesota,

County of Stearns

IN PROBATE COURT

File No. 1844

IN THE MATTER OF THE ESTATE OF

Virginette Tretter

Decedent

INVENTORY AND APPRAISAL

Date of Death February 3, 1963

OATH OF APPRAISERS

State of Minnesota,

County of Stearns

Tom Varner

I, James Meyers, 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

Virginette Tretter, decedent to the best of my ability, So Help Me God.

Subscribed and sworn to before me this

day of April, 1963

Notary Public, ROGER J. NIERENGARTEN, County, Minn.

My commission expires Nov. 29, 1963.

(SEAL)

James Meyers

Tom Varner

INVENTORY AND APPRAISAL

The undersigned representatives of the estate of the above named decedent, represent and show 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 their possession and of which they have 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 _____, State of Minnesota, consisting of _____ acres in area described as follows, to-wit:

(give acreage)

none

Specify Encumbrances
and Respective AmountsNet Value Over
Encumbrances

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

FORWARDED

00070273

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.			\$

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
Entire personal property consisting of furniture and household goods and one automobile are shown as assets in the estate of Henry Tretter, husband of decedent.	\$	\$
Total Value of All Other Personal Property		\$

SUMMARY

The total value of all the real estate of decedent, as valued by the appraisers herein, is - - \$
 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 - - \$ NONE
 Respectfully submitted,


 Ralph Opätz Representative

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

State of Minnesota.

59.

being duly sworn, on oath say..... 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

day of April, A. D. 1963

ROGER J. NIENEGARTEN
Notary Public Stearns County, Minn.
Notary Public Commission Expires Nov. 29, 1998

My commission expires _____, 19____.

Ralph Opatz

Representative

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

Virginette Tretter

Virginett Tretter, 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 6 day of June

, A. D. 19_6_

James Meyers

Tom Varner

Appraisers

File No. 17-596.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Virginette Tretter

Inventory and Appraisal

Category	Percentage
Total Personal	80

Total Real Estate - - - \$

Total Appraisal - - - - -

Due service of the within inventory and appraisal is hereby admitted this _____ day of _____, 19____.

*Deputy-Treasurer of
County, Minnesota*

Filed this 29th day of

A. D. 1967

A. D. 1967

Probate Judge Clerk

Attorney

No. 39676

000780276

State of Minnesota,
County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Virginette Tretter,

Decedent.

Order Approving Account and Report of Special Administrator

The report and final account of Ralph R. Opatz as special administrator of the estate of the above named decedent having been made and filed in this court on the 29th day of May, 19 63, and the court having read and considered the same, and having heard and considered the evidence adduced in support thereof, and examined the files and records in said matter, finds as follows:

FIRST—That the said special administrator has collected all the personal property of said decedent, cared for, gathered and secured all the crops belonging to his said estate, preserved all the property of said decedent and cared for the same, has sold all the personal property of said decedent he was authorized to sell by leave of this court and accounted for the proceeds of the same, has taken charge of the real property of said decedent as he was authorized to do by leave of this court, and cared for the same and reported his doings thereon to this court, has made and filed in this court a true inventory of all said property of said decedent, has in all things obeyed the orders of this court in said matter, and is ready to turn over and deliver to the general representative of said estate all the property of said decedent.

SECOND—That said special administrator has made and filed in this court a full account of all his receipts and disbursements in said special administration of said estate, a summary statement of which is as follows, to-wit:

Total receipts from sales of personal property	
under leave of court, - - - - -	\$ none
Total collections from other sources, - - - - -	\$
Total expenditures and expenses, - - - - -	\$ none
Balance, - - - - -	\$ none

THIRD—That no one has been appointed general representative of said estate

THEREFORE IT IS HEREBY ORDERED, That the report and account of said special administrator, as adjusted and settled by the court herein, be, and the same hereby is, approved and allowed; and that said special administrator, together with the sureties on his bond, be discharged from all further liabilities and duties in said matter.

Dated May 29th, 19 63


Judge of Probate.

State of Minnesota, }
County of Stearns }

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Virginette Tretter,
Decedent.

Order Approving and Allowing Account of
SPECIAL ADMINISTRATOR

Filed this 29th day of
May, 1963 and recorded

in Book " " of Orders, page

Wanda K. Kunkel
Clerk *Wanda K. Kunkel* of Probate.

STATE OF MINNESOTA

COUNTY OF STEARNS

PROBATE COURT

FILE NO. 19,586

RE ESTATE OF

Virginette Tretter,

Wife Decedent.

ORDER DISCHARGING
~~SPECIAL~~
REPRESENTATIVE ~~GUARDIAN~~

Ralph R. Opatz

the Special Representative herein, having complied with all the orders and
decisions of the court and with the provisions of law and having fully discharged his trust,

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

Dated September 27th, 19 65


Probate Judge.

(COURT SEAL)

00070279

FILE NO. 19,586

STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT

RE ESTATE OF

Virginette Tretter,
~~Wid~~—Decedent.

ORDER DISCHARGING
~~SPECIAL REPRESENTATIVE—GUARDIAN~~

Filed this 27th day of September

19 65 , and Recorded in Book

on Page thereof.

Roselyn Kuthouse
Clerk of Probate.

000780280

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Virginette Tretter

Decedent.

Final Account and
Report of Special Administrator

Your petitioner

Ralph Opatz

respectfully represents and

shows to the court:

FIRST—That letters of special administration of the above named estate were to him issued on the 18th day of March, 1963

SECOND—That he has collected all the personal property of said decedent, Virginette Tretter

and preserved all the property of said decedent for the general representative of said estate; and made and filed in this court on the 28th day of May, 1963 a true inventory of all the goods, chattels, rights, credits and effects of said decedent.

THIRD—

FOURTH—That under and by leave of the court, he has sold the following described personal property of said decedent and collected and received therefor the following sums, to-wit: The inventory appearing in the estate of Henry Tretter, husband of deceased, was sold at a public auction sale and receipts of \$1,491.80 were realized. These receipts were totally credited to the estate of Henry Tretter in whom title to the property included in the inventory appeared to be vested. Therefore no receipts from sale appear in this Final Account.

\$

\$

\$

\$

\$

Total receipts from sales \$

FIFTH—That he has collected and received other sums due said decedent from other sources as follows:

None

\$

\$

\$

\$

\$

Total amount collected other than from sales

\$ none

Total of all receipts

\$ none

SIXTH—That he has necessarily paid out and expended in administering said estate and caring for the same, the following amounts for the following purposes:

None (The administrative fees for the special administrator herein, Ralph Opatz, have been disbursed out of the Henry Tretter estate in which there are assets in which to make such disbursement)

00070281

Balance	-	-	-	-	\$		\$ None
---------	---	---	---	---	----	--	---------

5

Ralph Opatz *Petitioner and Special Administrator*

Ralph Opatz

Subscribed and sworn to before me this

Re day of May 1963

My commission expires

Note (1) If actions have been commenced, here state what the case, author, title, book, etc., is.

Note (2) Here insert what was done with real estate; and if any of it has been leased, state what and terms of lease.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Virginette Tretter
Decedent.

**Final Account of Special
Administrator and
Petition for Allowance**

Filed this
27th day of

51

7728-4

Joseph D. Lusk
Clerk—Judge of Probate.

No. 1254-P

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Catherine Keilner

Decedent.

**Petition for Allowance and
Probate of Will**

19,587

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 Minneapolis in the County of Hennepin 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 U. S. A., and died at Collegeville Township County of Stearns, State of Minnesota, on the 2nd day of March, 1963, aged 73 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 Collegeville 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 \$ 7,782.00 divided as follows:

- | | | | |
|----------------------|-----------|--------------------------------|-------------|
| 1. Household goods, | \$ 500.00 | 2. Wearing apparel, | \$ No value |
| Cold Spring Creamery | | Bank Certif. of Dep. | |
| 3. Stock, | \$ 40.00 | 4. Notes, bonds, etc., | \$ 4,200.00 |
| | | 2,200.00 Bank Savings Accounts | |
| 5. Miscellaneous, | \$ 842.00 | checking accounts | |

That said estate also included real estate of the estimated worth and probable value of \$ 10,000.00

situated wholly in said County of Stearns State of Minnesota, to-wit:

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

A. City Property

(Give Area)

(or)

B. Rural Property

80 acres

(Give Area)

2. Real Estate other than Homestead:

A. City Property

Lots without Buildings \$

City Property

Lots with Buildings \$

B. Rural Property

Approx. 80

Acres improved land \$ 4,000.00

Rural Property

Acres unimproved land \$

FIFTH—That the probable amount of debts of decedent is \$ 1500.00, consisting of last illness and funeral.

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
Leonard S. Maile	63	Son	Cold Spring, Minnesota
Olive Maile	59	Daughter	Cold Spring, Minnesota
Clara Bontle	50	Daughter	Cold Spring, Minnesota
Rose Hilsgen	46	Daughter	Oakdale Addition #17, St. Cloud, Minn.
Walter H. Kellner	44	Son	5217 Sheridan Ave., Hopkins, Minnesota
Roman E. Kellner	41	Son	Cold Spring, Minn.
Imelda Kellner King	40	Daughter	7539 Bloomington Ave. S., Minneapolis Minn.
Marcus V. Kellner	38	Son	Cold Spring, Minn.
Mary Ann Dietman	36	Daughter	Cold Spring, Minn.
Dorothy Nathan	34	Daughter	St. Joseph, Minn.
John E. Kellner	31	Son	Cold Spring, Minn.
Diane Ahlstrom	15	Granddaughter	7539 Bloomington Ave. S., Minneapolis, Minnesota

SEVENTH—That Olive Maile
Cold Spring, Minnesota

whose Post Office address is
is named in said Will as alternate
executor

thereof and is a suitable and competent person to be executor of said Will. Imelda King unwillingly.

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

Dated March 18, 19 65

Imelda Kellner King
Petitioner.

State of Minnesota,

County of Stearns

Imelda Kellner King

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 believe it to be true.

Subscribed and sworn to before me this 16th

day of March, 19 65

Julia Stein
Notary Public

Stearns County, Minnesota.

My Commission expires October 29, 19 64.

State of Minnesota,

County of Stearns

IN PROBATE COURT

Petition for Allowance and
Probate of Will

In the Matter of the Estate of

Catherine Kellner

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 & Willenbring
(Sign your name here)

Filed this 19th day of
March, 19 65

Josephine Finkelhorst
Probate Judge-Clerk.

No. 34867

PRINTER'S AFFIDAVIT OF PUBLICATION

Printer's Affidavit of Publication. (Mason's Minn. Statutes, 1927, Chap. 10925, 10926, as amended by Chap. 272, 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

Legal Notice

STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT
File No. 19,587

Re Estate of Catherine Kellner,
Decedent.

IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on Friday, April 19th, 1963, 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, July 19th, 1963, at 9 o'clock A.M. by this court in the Court House in St. Cloud, Minn.

Dated this 19th day of March, 1963.

(Seal)

Russell & Willenbring,

Attorneys.

John Lang

Probate Judge.

Pub. March 21, 28 April 4.

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 Hearing Petition to Admit

Will and Notice to Creditors

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 21st day of March, 19 63, and thereafter on Thursday of each week to and including the

4th day of April, 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 4th day of April, 19 63.

Notary Public, Stearns County, Minn.

My Commission expires 19

P. A. Honer
Notary Public, Stearns County, Minn.
My Commission Expires June 14, 1965

00080285

19,587

STATE OF MINNESOTA
County of Stearns

POWER OF ATTORNEY
BeFORE of the State of
Catherine Kellner
Decedent. #11

AFFIDAVIT OF PUBLICATION

FILED THIS 5th DAY
OF April 19 63
Roselyn R. Kellner
JUN OF THE STATE

98208886

State of Minnesota,

IN PROBATE COURT

County of Stearns

}

In the Matter of the Estate of Catherine Kellner

Deceased.

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

IT IS ORDERED, That the said Olive Kalle give
bonds to the Judge of this Court in the sum of Seven Thousand and no/100 - - - - -
- - - - - (\$7,000.00) - - - - - 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 19th day of April

A. D. 1963

By the Court,

Russell & Willenbring,

Attorney S. for Petitioner.


Judge of Probate.

00000287

No. 12,587

IN PROBATE COURT

County of Stearns

In the Matter of the Estate of

Catherine Kellner,
Deceased.

ORDER FOR EXECUTOR'S BOND

Filed this 19th day of
April A. D. 1963, and
recorded in Book of Orders, on
page

Harold H. H. H.
Clerk—Judge of Probate.

No. 9540*

00080288

State of Minnesota,

County of Stearns

}

IN PROBATE COURT.

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

Catherine Kellner

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 29th day of

November

A. D. 19⁶¹, and purporting to be the Last Will and Testament of

Catherine Kellner

of the County

of Stearns

and State of

Minnesota

now here presented

for probate; that

F. W. Russell

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 November

A. D. 19⁶², 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

he other subscribing witness did then and there, in the presence of the said decedent, and at her request, severally subscribe said instrument as witness ^{es} 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

19th day of April A. D. 19⁶³

Judge of Probate

F. W. Russell

No. 19,587

State of Minnesota,

County of Stearns

} ss.

IN PROBATE COURT

IN THE MATTER OF THE LAST WILL AND
TESTAMENT OF

Catherine Kellner

Decedent.

TESTIMONY OF

F. W. Russell

Subscribing Witness to Will.

Taken, sworn, subscribed and filed this

19th day of

April 19 63

Foselyn Kuphaus
Clerk-Judge of Probate.

No. 3545*

06208000

Last Will and Testament

IN THE NAME OF GOD, AMEN

I, Catherine Kellner, 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 payment of such debts and funeral expense, I order and direct that my executrix, hereinafter named, shall expend money for masses as follows:

One Hundred Dollars (\$100.00) for masses for the repose of my soul, thirty of which shall be Gregorian Masses.

An amount sufficient for thirty Gregorian masses for the repose of the soul of my son, Edward Kellner, if I have not had these masses read before my death.

Twenty-five Dollars (\$25.00) for masses for my parents, Mr. and Mrs. John Neis, and my deceased brothers and sisters.

Twenty-five Dollars (\$25.00) for masses for my husband's parents, Mr. and Mrs. Peter Kellner, and their deceased children.

THIRD, I give and bequeath to my daughter, Imelda Kellner, my high walnut desk.

FOURTH, I order and direct that my executrix return to my heirs those items of personal property which any of them have given to me as gifts during my lifetime, and I do hereby give and bequeath said items to the original donors.

FIFTH, I direct that all of the remaining furniture, household goods, including dishes, linens etc., and personal effects, should be divided by my executrix among my heirs as she sees fit, but in a manner that shall be suitable to all of said heirs.

SIXTH, I give and bequeath to the Church of St. Boniface of Cold Spring, Minnesota, the sum of Fifty Dollars (\$50.00).

SEVENTH, I order and direct that as soon after my decease as conveniently may be, my executrix employ a surveyor to survey into twelve 140-foot frontage

Catherine Kellner

lakeshore lots, 200 feet deep, along the lakeshore of Big Fish Lake, beginning at the south end of lakeshore property which I own and continuing north for 1,680 feet. I give, and devise, to each of my stepchildren, children and grandchild hereinafter named, one of these 140-foot lots, namely to:

Olive Maile, Leonard S. Kellner, Clara Drontle, Rose Hilsgen, Walter H. Kellner, Roman P. Kellner, Imelda Kellner, Marcus V. Kellner, Mary Ann Dietman, Dorothy Nathan, John E. Kellner, and Diane Alstrom, daughter of my deceased daughter, Helen Alstrom.

Each lot shall be given a number, and corresponding numbers shall be placed in a container with each of the above named devisees to be allowed to draw one number to identify the lot he or she is to receive.

EIGHTH, I give my son Roman P. Kellner, first option to buy the balance of my farm in Collegeville Township for Fifty Dollars (\$50.00) per acre, said option to be exercised within ninety days after the appointment of the executrix of this my last will and testament.

NINTH, I do hereby grant to my executrix the right to sell any of my personal property or real estate without license of the Probate Court.

TENTH, I do hereby appoint my daughter, Imelda Kellner, to be guardian of the estate herein created for Diane Alstrom during the period of her minority.

ELEVENTH, All of the rest, residue and remainder of my estate I give, devise and bequeath to my stepchildren, children and grandchild hereinafter named, in equal and undivided shares, share and share alike, namely to:

Olive Maile, Leonard S. Kellner, Clara Drontle, Rose Hilsgen, Walter H. Kellner, Roman P. Kellner, Imelda Kellner, Marcus V. Kellner, Mary Ann Dietman, Dorothy Nathan, John E. Kellner, and Diane Alstrom, daughter of my deceased daughter, Helen Alstrom.

TWELFTH, My sons John E. Kellner and Roman P. Kellner are now indebted to me in the amount of \$350.00 each, representing the purchase price due for lake shore lots sold to them. If such amounts have not been fully paid at the time of my death, any unpaid balance due from either of them shall be a charge against his respective share of the residue of this estate.

LASTLY, I make, constitute and appoint my daughter, Imelda Kellner, to be executrix of this my last will and testament. In the event she is unable to act

Catherine Kellner

for any reason, I appoint my daughter, Olive Maile, to be executrix.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of
November, 1961.

Catherine Nelson

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.

Julius Stein Residing at Cold Spring, Minnesota
Ed Russell Residing at Cold Spring, Minnesota

Will

of

CATHERINE KELLNER

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

00080294

State of Minnesota,

County of Stearns

IN PROBATE COURT
CERTIFICATE OF PROBATE

In the Matter of the Estate of Catherine Kellner Decedent

We 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
Catherine Kellner Decedent, late of said County of Stearns
bearing date the 29th day of November 1961, 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 Catherine Kellner
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 19th day of April 1963



John Long
Judge of Probate.

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

Catherine Kellner,
Decedent.

Certificate of Probate of Will

Filed this 19th day of

April 19 63, and recorded,

together with the will attached in Book

M of Records of Wills, Page 599

Joseph H. Schaefer
Clerk Judge of Probate.

State of Minnesota,

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Catherine Kellner,

Decedent

Order Admitting Will to Probate

The above entitled matter came on to be heard on the 19th day of April 1963

upon the petition of Imelda Kellner King

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 19th day of March 1963 has been duly served and published as directed therein and required by law.

SECOND—That said decedent died on the 2nd day of March 1963, and at the time of his death was a resident of Collegeville 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 witness as 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 April 19th, 1963.

John Long
Judge of Probate.

State of Minnesota, }
County of Stearns }

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner,
Decedent.

Order Admitting Will to Probate

Filed this 19th day of
April 1963, and recorded
in Book " " of Orders, Page

Joseph H. Housh
Clerk/Judge of Probate.

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner,

Decedent.

LETTERS TESTAMENTARY

Decedent died on March 2nd, 1963

To Olive Maile

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 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 23rd day of

April, 1963


 Probate Judge.


 COURT
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 _____ this
day of _____, A. D. 19 _____

Probate Judge.

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner
Deceased.LETTERS TESTAMENTARY
(LONG FORM)

Filed this 23rd day of
April, 1963, and Recorded
in Book " 0 " of Letters, Page 369

Tracy H. Hansen
Clerk/Judge of Probate Court.

APPROVAL

I hereby approve the within Bond and the Surety thereon, this 23rd day of April, 1963

John F. Long
Probate Judge

OATH OF REPRESENTATIVE

STATE OF MINNESOTA
County of Stearns ss.

I, Oliver Malle 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 Catherine Kellner to the best of my ability and according to law, so help me God.

Subscribed and sworn to before me this 19th day of April, 1963

My Commission Expires VICTOR STEEN
Notary Public, Stearns Co., Minn.
My Commission Expires Dec. 11, 1966

Victor Steen
Notary Public, _____ County, Minnesota

WESTERN SURETY COMPANY
One of America's Oldest Surety Companies
INCORPORATED IN MINNESOTA

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
Catherine Kellner

☐ Minor(s) ☐ Incompetent
☒ Deceased

Filed the 23rd day of
April, 1963, and said
bond recorded in Book _____ of

Bonds, page _____ of Probate
Records.

Clerk

Robert H. Dickson
x3 Clerk ☐ Judge of Probate

00080302

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner,

Decedent.

Order Appointing Appraisers

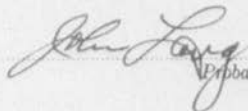
On all the files, records, and proceedings in said estate

It is ordered that Victor Stein and
E. M. Neisen

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

Dated this 19th day of April, 1963.

(PROBATE COURT SEAL)


Probate Judge.

000880303

No. 19,587

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner,

Decedent.

Order Appointing Appraisers

Filed April 19th, 1963

Roselyn Huxhaus
Probate Judge—Clerk.

No. 257914*

00080304

State of Minnesota,

County of Stearns

IN PROBATE COURT

File No. 19,587

IN THE MATTER OF THE ESTATE OF

Catherine Kellner

Decedent

INVENTORY AND APPRAISAL

Date of Death March 2, 19 63

OATH OF APPRAISERS

State of Minnesota,

County of Stearns

Victor Stein

I, E. M. Nelson, 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

Catherine Kellner

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

Subscribed and sworn to before me this

11th day of September, 19 63

Julia Stein
Notary Public, Stearns County, Minn.

My commission expires October 29, 19 64

(SEAL)

INVENTORY AND APPRAISAL

The undersigned representative of the estate of the above named decedent, represent and show 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 _____, State of Minnesota, consisting of _____ acres in area described as follows, to-wit: (give acreage)	Specify Encumbrances and Respective Amounts	Net Value Over Encumbrances
(b) All other real estate of decedent being in the County of _____, State of Minnesota, described as follows, to-wit:		
See separate sheets attached:		
Parcel 1.....		\$ 16,000.00
Parcel 2.....		\$ 8,365.50
FORWARDED		

00080305

	Specify Encumbrances and Respective Amounts	Net Value Over Encumbrances
Brought Forward	\$	\$
Total Net Value of Real Estate		\$ 24,365.50
CLASS II—Furniture and Household Goods:		
Refrigerator, gas stove, deep freeze, sofa, mahogany chest, old bed and chest, 3 beds, kitchen table and chairs, table in living room, miscellaneous household items	\$	\$ 50.00
Total Value of Furniture and Household Goods		\$ 50.00
CLASS III—Wearing Apparel		
No commercial value	\$	\$
Total Value of Wearing Apparel		\$ None
CLASS IV—Corporation Stock		
None	\$	\$
Total Value of Stock		\$ None

Real Estate of decedent being in the County of Stearns, State of Minnesota, described as follows:

Parcel 1: Lakeshore property, for devise to heirs as provided in paragraph SEVENTH of will:

Lots 1, 2, 3, 4, 5, and 6 of "Kellner's Addition" a platted Subdivision lying in Government Lot Two (2) and Parts of Government Lots One (1) and Two (2) of Section Twenty-eight (28), Township One Hundred Twenty-four (124) North, Range Thirty (30) West, Stearns County, Minnesota, described as follows:

Beginning at the Southwest corner of said Government Lot 2; Thence, along the South Line of said Government Lot 2 Due East 229.66 feet; Thence, along the East Line of Kellner Drive, North 33° 42' West 132.48 feet; Thence North 04° 04' West 163.88 feet; Thence North 04° 14' East 357.36 feet; Thence North 35° 29' West 256.12 feet to the point of beginning of the tract herein described; Thence North 33° 41' West 229.92 feet; Thence North 65° 40' West 226.33 feet; Thence North 58° 00' West 234.54 feet; Thence North 50° 50' East 134.19 feet; Thence North 17° 25' East 468.04 feet; Thence North 71° 33' East 162.31 feet; Thence North 17° 01' West 215.15 feet more or less to the water shoreline of Big Fish Lake; Thence, along shoreline Southwesterly and Southeasterly 1727 feet more or less to a point that is South 37° 55' West 18.0 feet more or less from the most Westerly corner of Lot Seven (7) of said "Kellner's Addition"; Thence, along the boundary line between Lots 6 and 7 of said Kellner's Addition 118.30 feet more or less to the most Northerly Corner of said Lot 7; Thence, along the Westerly line of "Kellner Drive" South 51° 29' East 207.35 feet; Thence North 68° 37' East 33.05 feet to the Point of Beginning. Tract containing 7.25 acres, more or less. Since the date of death of decedent the above described tract has been platted, under authorization and order of this court, and is now known as Kellner's First Addition and Replat.

\$ 16,000.00

Parcel 2: Balance of farm in Collegeville Township, Stearns County, Minnesota.

- | | |
|--|-------------|
| 1. The Southwest quarter of the Northeast quarter (SW 1/4 NE 1/4) of Section Twenty-eight (28), Township One Hundred Twenty-four (124) North, Range 30 West, subject to certain mineral reservations contained in deed dated November 21, 1927, recorded May 7, 1928, in Book 194 of Deeds, page 377. | 49.00 acres |
| 2. A triangular strip of land beginning at the Northwest corner of the Northwest quarter of the Southeast quarter (NW 1/4 SE 1/4) and running thence East 100 feet; thence running on a straight line Southwesterly to a point 24 rods directly South of said Northwest corner of the NW 1/4 SE 1/4; thence North 24 rods to place of beginning, being in Section 28, Township 124 North, Range 30 West..... | .45 acre |
| 3. Government Lot Three (3) of Section 28, Township 124 North, Range 30 West, excluding that part thereof platted as Sunset View..... | 33.52 acres |
| 4. Government Lots One (1) and Two (2), in Section 28, Township 124 North, Range 30 West, less and except that part thereof platted as Kellner's Addition and that part described as Parcel 1 above (now platted as Kellner's First Addition and Replat)..... | 92.90 acres |
| 4. Lot Eighteen (18) of Kellner's Addition, (said Kellner's Addition being part of Government Lot 2, Section 28, Township 124 North, Range 30 West) 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..... | .44 acre |

Containing in all..... 167.31 acres

\$ 8,365.50

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, Annuitites, Farm Crops, Machinery, etc.)	Specify Encumbrances and Respective Amounts	Net Value Over Encumbrances
	\$	\$
Certificate of deposit, First National Bank of Cold Spring, Minnesota		\$ 4,200.00
Savings account, First National Bank of Cold Spring		1,200.00
Checking accounts, First National Bank of Cold Spring		850.79
Savings account, State Bank of Cold Spring, Minn.		1,002.00
Checking account, State Bank of Cold Spring, Minn.		82.00
Amount due from John E. Kellner for lake lot sold to him		350.00
Amount due from Roman P. Kellner for lake lot sold to him		350.00
Amount due on open account from Mary Ann Dietman		50.00
Total Value of All Other Personal Property		\$ 8,094.79

SUMMARY

The total value of all the real estate of decedent, as valued by the appraisers herein, is - - \$ 24,569.50

The total value of all the personal property of decedent, as valued by the appraisers herein, is - - \$ 8,144.79

The total value of the entire estate of decedent, as valued by the appraisers herein, is - - \$ 32,714.29

Respectfully submitted,

Line Mail

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,

County of Stearns

28.

Oliver Wells

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

5th day of September, A. D. 1953

Julia Stein
Notary Public, Stearns County, Minn.

My commission expires October 29, 1954

Oliver Wells

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

Catherine Kellner

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 11th day of September, A. D. 1953

Oliver Wells
Julia Stein
Appraisers

File No. 19,537

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner

Decedent

Inventory and Appraisal

Total Personal	\$ 8,144.72
Total Real Estate	\$ 24,565.50
Total Appraisal	\$ 32,710.22

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

Deputy-Treasurer of
County, Minnesota

Filed this 16th day of
September, A. D. 19 53

Oliver Wells
Probate/Clerk

Attorney

No. 3347

SCHEDULE 1 — 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. Homestead must be designated.	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: 6-21-50	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	\$3,800.00	\$12,500.00
7-5-57	100 shares General Motors Co., common \$100 par Certificate No. 1392816	John Doe, son	N. Y. S. E. 75½	\$7,550.00

None

Total (Col. 5.)

Less Liens (Col. 2.)

Net

None

00080311

SCHEDULE II — INSURANCE

Report all life and accident insurance proceeds payable on the death of the decedent to named beneficiaries. Do not include insurance payable to estate.

This schedule should not include contracts reportable on Schedule III.

Date Taken Out	Description of Policy (Name of Company, No. of Policy)	Amount Paid or Payable at Death (Show Post Mortem Dividends Separately)	Beneficiary and Relationship to Decedent	If Contract Issued Prior to 4-26-49, did Decedent on 4-26-49 have right to?	
				1. Change Beneficiary?	2. Cash Surrender Value?
Unknown	Catholic Order of Foresters, Policy No. unknown	500.00	Paid equally (\$45.45 to each) of the following children of Decedent: Oliver Hill Leonard W. Kellner Clara Brontle Rose Hilgen Walter W. Kellner Douglas P. Kellner Imelda Kellner Marcus V. Kellner Mary Ann Kellner Dietman Dorothy Mahan John H. Kellner		

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 annuities 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. Where pension plans meet Sec. 401 (a) IRC 1954 requirements, so state. Show employee and employer contributions, cost, amount and method of payments to be made. Submit copies of Plans which do not meet said requirements.

Date of Contract	Description of Contract (Name of Company, No. and Type)	Amount Paid or Payable at Death or Value of Balance of Annuity	Beneficiary or Transferee Name, Address, and Relationship to Decedent
	None		

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 three years prior to death is made in contemplation of death.

Report gifts made by decedent during his lifetime which total more than \$3,000 to one donee in any calendar year.

B. Transfers intended to take effect in possession or enjoyment at or after 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 submitted.

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, together with the values of such assets.

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 of City Realty; Acreage of Rural Land). Specify Liens, if any.	Transferee and Relationship to Decedent	Assessor's Full and True Value of Realty or Full 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, Olive Mule,
the executrix/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,

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 on 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 5th
day of September, 19 63.

(Signature) Olive Mule

Julia Stein
Notary Public, County of Stearns

(Address) Cold Spring, Minn.

My commission expires October 29, 1964

File No. 19,587

State of Minnesota,

County of Stearns

Re: Estate of

Catherine Kellner

Decedent

INHERITANCE TAX RETURN
DEPARTMENT OF TAXATION

Filed September 16th, 1963

Paula Peterson
Clerk of Probate Court

Attorney s Russell E. Willenbring

Address Cold Spring, Minnesota

State of Minnesota,

PROBATE COURT

COUNTY OF _____

FILE NO. 19587

IN THE MATTER OF THE ESTATE OF

Inheritance Tax Record and
Order Determining Tax

Decedent

From the files, records and proceedings herein the court finds that decedent died March 219 63, a resident of Collegeville, Twin Lakes county, Minnesota, leaving an estate of the following value:

Estimated in Petition	Appraised Value	Omitted Property, Increased Value	Final Inheritance Tax Value
Real Estate <u>16,000.00</u>	<u>24,365.50</u>	<u>1810.00</u>	<u>24,365.50</u>
Personal Estate <u>7782.00</u>	<u>8,144.79</u>	<u>244.55</u>	<u>9155.07</u>
TOTAL <u>17,782.00</u>	<u>32,510.29</u>		<u>33,521.00</u>

That the deductible expenses of administration, funeral and last illness, maintenance and allowances, taxes and claims paid are as follows:

Maintenance of family	- - - - - \$
Statutory allowances	- - - - -
Appraiser's fees	- - - - - <u>36.00</u>
Publication of orders	- - - - - <u>18.00</u>
Compensation of representative	- - - - - <u>100.00</u>
Expenses of representative	- - - - -
Attorney's fees	- - - - - <u>1025.00</u>
Expenses of attorney	- - - - -
Certified copies	- - - - - <u>46.46</u>
Recording fees	- - - - - <u>28.00</u>
Bond premiums	- - - - -
Misc. expenses of administration	- - - - - <u>902.90</u>
Funeral expenses	- - - - - <u>131.99</u>
Expenses of last illness	- - - - -

Taxes, if lien at death:

Personal property	- - - - - \$
Minnesota Real Estate	- - - - - <u>292.30</u>
Income taxes accrued to death:	
Federal	- - - - -
State	- - - - -
Federal estate tax	- - - - -
Claims allowed and paid	- - - - -
Homestead to spouse or issue	- - - - -

TOTAL DEDUCTIONS

ALLOWED FOR
INHERITANCE TAX
NET ESTATE FOR
INHERITANCE TAX
COMPUTATION2549.65
30,971.35

That the transfers to legatees, devisees, or heirs of the decedent hereinafter specified, will be subject to inheritance tax in the following amounts:

Name of Legatee, Devisee, or Heir at Law	Relationship to Decedent	Value of Legacy, Devise, or Distributive Share	Exemption	Inheritance TAX
<u>Mrs. Masses</u>		<u>181.00</u>		
<u>Church of St. Boniface</u>		<u>50.00</u>		
<u>Good Spring</u>				
<u>2561.69</u>				
<u>12/30,740.35</u>				
<u>24</u>				
<u>67</u>				
<u>60</u>				
<u>74</u>				
<u>72</u>				
<u>20</u>				
<u>12</u>				
<u>83</u>				
<u>72</u>				
<u>115</u>				
<u>108</u>				
<u>7</u>				
TOTALS			XXXX	

Less 231.00

00000314

SAFE DEPOSIT BOX NOTICE AND REPORT

STATE OF MINNESOTA
DEPARTMENT OF TAXATION
Inheritance and Gift Tax Division
CENTENNIAL OFFICE BUILDING
ST. PAUL 1, MINNESOTA

NOTICE

(To be Executed by Lessor)

Re Estate of

Catherine Kellner

Deceased

(State given name and surname of married women)

To the Treasurer of

Stearns

County

Cold Spring, Minnesota

Residence

Date of Death March 2, 1963

Pursuant to Minnesota Statutes, Section 291.20 you are hereby notified that the undersigned on

March 11, 1963

intends to grant access to safe deposit box

No. 40 to Roman Dockendorf

whose address is

Cold Spring, Minnesota

Persons other than decedent who had access

to said box at the time of decedent's death were none

Whose addresses are

This box has ☐ has not ☒ been entered since death of decedent. Date of entry

Party entering

Address

State Bank of Cold Spring

Bank, corporation, association, person

By

Roman Dockendorf

Cold Spring, Minnesota

Address

Date Mar 11, 1963

REPORT

(To be Executed by County Treasurer)

Names of those present at the opening and examination:

Agent for County Treasurer

For estate

(Relationship to decedent)

Roman Dockendorf

For the bank or trust company

Address

DESCRIPTION OF CONTENTS OF SAFE DEPOSIT BOX

(Please separate stocks and bonds and list alphabetically; Group U. S. Savings Bonds transferable to each person.)

1 Last Will & Testament of Catherine Kellner

1 Receipt for drawing of Last Will & Testament

1 Contract for Deed to E. M. Neisen, dated July 29, 19⁵9

1 Contract for Deed to Leigh W. Rethmeier dated July 29, 1959

CERTIFICATE

We hereby certify from our inspection thereof that the foregoing is a correct description of contents of the said safe deposit box.

Date March 11, 1963

For the Estate

Roman J. Locken Treasurer
Agent for

STEARNS

County

INSTRUCTIONS

1. One copy of this report should be sent by the county treasurer to the probate court of the interested county and the original to the Department of Taxation, Inheritance and Gift Tax Division, Centennial Office Building, St. Paul 1, Minnesota.

2. If the county treasurer for any reason deems it inadvisable to have the contents of such box delivered at the time of the examination, the treasurer may serve notice upon the safe deposit box company to defer such delivery for ten days. See Minnesota Statutes, Sec. 221.20. See also Sec. 623.04.

3. All contents of box must be fully described. Show stock certificate numbers, number of shares, name of company, class of stock and par value. Show bond numbers, face value, name of debtor, rate of interest, maturity date. Show date and original amounts of mortgages, brief legal description of land, name of mortgagee. Show purchase dates, amounts and series of U. S. Savings and Defense Bonds; and names of co-owners or beneficiaries. Report the contents of sealed envelopes and all property claimed by another.

File No. _____

STATE OF MINNESOTA

County of _____

In the matter of the estate of _____

Deceased _____

SAFE DEPOSIT BOX REPORT.

CONSENT TO TRANSFER

Service of the above notice is hereby admitted and consent to granting of access to the safe deposit box described in the notice and certificate is hereby given—effective at once—effective ten days—from date hereof.

County Treasurer

Dated _____

In the case of non-resident decedent, the consent of the Commissioner of Taxation is also required as provided by Minnesota Statutes Sec. 291.19.

State of Minnesota,
County of Stearns

IN PROBATE COURT.

In the Matter of the Estate of
Catherine Kellner,

Decedent.

ORDER ALLOWING FINAL ACCOUNT.

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

The said representative appeared in person and by Attorneys, Russell and 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 22nd day of October 1963, in the Cold 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 -	\$ 8,144.79
Personal estate omitted from the inventory -	\$ 994.88
Gain by sales above appraised value -	\$ -
Cash from sales of real estate -	\$ 8,365.50
Cash from rent of real estate -	\$ -
Cash from interest and profits -	\$ 192.71
Cash from other sources -	\$ -
Insurance refund -	\$ 15.40
	\$ -
Total receipts from all sources -	\$ 17,713.28

DISBURSEMENTS AND CREDITS

Estate selected for surviving spouse -	\$ -
Maintenance of family of decedent -	\$ -
Expenses of administration -	\$ 2,153.56
Expenses of last sickness -	\$ 131.99
Funeral expenses -	\$ 902.90
Taxes -	\$ 272.30
Claims of creditors of decedent -	\$ -
Legacies -	\$ 231.00
	\$ -
	\$ -
Residue on hand for distribution -	\$ 14,021.53
Total credits -	\$ 17,713.28

No. 19,587

State of Minnesota,

County of Stearns

PROBATE COURT.

In the Matter of the Estate of

Catherine Kellner,

Decedent

Order Allowing Final Account.

Filed this 15th day of

November, 1963, and

recorded in Book No. of Orders,

on Page

Deborah H. Heston
Clerk of Probate.

No. 19,587

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 November 15th, 1963

By the Court,

John Long
Probate Judge.

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

File No. 19,587

IN THE MATTER OF THE ESTATE OF
Catherine Kellner,

Decedent.

Final Decree of Distribution

The above entitled matter came on to be heard on the 15th day of November, 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 said representative has filed her final account herein which has been settled and allowed by the Court.~~

THIRD—That said decedent died testate on the 2nd day of March, 1963, 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 \$14,021.52 comprising of the following items:

Cash

(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 B. of land lying and being in the County of Stearns
State of Minnesota, described as follows, to-wit

Lots One (1) through Twenty-four (24), Kellner's First Addition
and Replat.

FIFTH—That the following named persons are the sole devisees

of said decedent, and are all

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

Olive Maile, daughter,
Leonard S. Kellner, son,
Clara Drontle, daughter
Rose Hilsген, daughter,
Walter H. Kellner, son,
Roman P. Kellner, son,
Imelda Kellner King, daughter,
Marcus V. Kellner, son,
Mary Ann Dietman, daughter,
Dorothy Nathan, daughter,
John E. Kellner, son,
Diane Ahlstrom, granddaughter.

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:

A one-twelfth (1/12th) thereof to each of the said Olive Maile, Leonard S. Kellner, Clara Drontle, Rose Hilsген, Walter H. Kellner, Roman P. Kellner, Imelda Kellner King, Marcus V. Kellner, Mary Ann Dietman, Dorothy Nathan, John E. Kellner and Diane Ahlstrom, absolutely.

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:

To the said Olive Maile, lots 19 and 20,
To the said Leonard S. Kellner, lots 13 and 14,
To the said Clara Drontle, lots 9 and 10,
To the said Rose Hilsen, lots 15 and 16,
To the said Walter H. Kellner, lots 7 and 8,
To the said Roman P. Kellner, lots 17 and 18,
To the said Imelda Kellner King, lots 3 and 4,
To the said Marcus V. Kellner, lots 5 and 6,
To the said Ann Dietman, lots 23 and 24,
To the said Dorothy Nathan, lots 21 and 22,
To the said John E. Kellner, lots 1 and 2, and
To the said Diane Ahlstrom, lots 11 and 12, 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^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 15th day of November, 1963



John E. Kellner
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. 19,587

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner,

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 15th day of November,

1963, and recorded in Book 125

of Decrees, page 54.

Joseph J. Jankovich

14th Clerk of Probate Court.

No. 3831

00080322

State of Minnesota, }
County of Stearns } ss.

IN PROBATE COURT

In the Matter of the Estate of Catherine Kellner, Deceased.

Whereas, It has been made to appear to the satisfaction of this Court that

Oliver Maile
as Representative of the above named estate has fully complied with all the terms and conditions of the final decree of distribution of said estate duly made and filed in this Court, and has paid over to the distributees named in said final decree all moneys, funds and property to them awarded by said final decree and has fully complied with all other orders and decrees of this Court relating to said estate, and has in all things well, faithfully and fully administered said estate as such Representative

It is Therefore Ordered and Decreed, That said Representative of said estate and the sureties on her bond, be, and they hereby are, forever discharged and released from all further duties and liabilities in the matter of said estate and of said trust.

Dated this 2nd day of December A. D. 19 63

John Long
Judge of Probate.
Stearns County Minn.

00080323

19,587

IN PROBATE COURT,

County of Stearns

In the Matter of the Estate of

Catherine Kellner,
Deceased.

Order Discharging Executor
or Administrator and
Sureties

Filed this 2nd day of

December 19 63

Recorded in Book of Orders

Page

Bradley K. Kellner
Clerk - Judge of Probate.

No. 9580*

State of Minnesota,

County of

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 order discharging _____ with 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.

00080324

State of Minnesota,

County of Stearns

ss.

IN PROBATE COURT,

In the Matter of the Estate of

Catherine Kellner

Decedent

Petition for Decree of Omitted
or Incorrectly Described Property*

Your Petitioner Respectfully Represents and shows:

1. That the said decedent died testate, a resident of Collegeville Township, Stearns County, Minnesota, on the 2nd day of March, 1963, in the County of Stearns,

State of Minnesota, and at the time of her death was 73 years of age, her post office address then being Cold Spring, Minnesota

2. That the estate of said decedent was probated in said County and a decree was made and entered in said estate dated November 15, 1963

3. That the following described property was omitted or incorrectly described* in said decree, to-wit:

(a) The Homestead of decedent being in the County of Stearns, State of Minnesota, described as follows, to-wit: Net Value at Date of Death

Encumbrances

(b) Other real estate of decedent being in the County of Stearns

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

Lots Twenty-five (25), Twenty-six (26), and Twenty-seven (27), Kellner's First Addition and Replat, Collegeville Township, Stearns County, Minnesota, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for said Stearns County, Minnesota.

(Under the last will and testament of the above named decedent, certain lake property was devised to the children and a grandchild of said decedent. In order to carry out the terms of said will, the lake property was platted as Kellner's First Addition and Replat, and the above numbered three lots make up a small triangular tract between lake lots sold by the decedent during her lifetime and a new roadway platted to service the lots devised to the heirs of the decedent.)

Encumbrances None

\$ No value

(c) Personal property consisting of the following items, to-wit:

None

Encumbrances

4. That the correct description of the property and whether a part thereof is a homestead or not with the values and encumbrances at the date of death of the decedent is as hereinbefore set out.

5. That there are no unpaid claims in said estate (in the sum of \$) and that said property was subject to inheritance tax.

6. That the interest of your petitioner in said property is as follows, viz.:

Daughter of decedent and alternate executrix named in will, and person who qualified and acted as executrix in connection with the probate of said will.

00080325

7. That the names, present ages, relationship, and addresses of the heirs, executors, legatees and devisees of said decedent are as follows, to-wit:

Names	Ages	Relationship	Addresses
Leonard S. Kellner	63	Son	Cold Spring, Minnesota
Olive Maile	59	Daughter	Cold Spring, Minnesota
Clara Prontie	50	Daughter	Cold Spring, Minnesota
Rose Hilsen	46	Daughter	Oakdale Addition #17, St. Cloud, Minn.
Walter H. Kellner	44	Son	8217 Sheridan Ave., Hopkins, Minn.
Roman P. Kellner	41	Son	Cold Spring, Minnesota
Imelda Kellner King	40	Daughter	7539 Bloomington Ave. S., Minneapolis, Minn.
Marcus V. Kellner	38	Son	Cold Spring, Minn.
Mary Ann Dietman	36	Daughter	Cold Spring, Minn.
Dorothy Nathan	34	Daughter	St. Joseph, Minn.
John E. Kellner	31	Son	Cold Spring, Minn.
Diane Alstrom	14	Granddaughter	7539 Bloomington Ave. S. Minneapolis, Minnesota

WHEREFORE Your Petitioner prays that the descent of said property be determined and that it be assigned to the persons entitled thereto pursuant to Chapter 696, Laws of 1949.

Dated ~~xxxxxxixxxixxx~~ May 19, 1964

Olive Maile

Petitioner

VERIFICATION

State of Minnesota,

Stearns

ss.

County of

Olive Maile

being duly sworn, on oath says, that s.h.g. is the person who makes the foregoing petition in the above entitled matter; that s.h.g. has read said petition and knows the contents thereof, and that the same is true of h.g.'s own knowledge, except as to those matters therein stated on information and belief, and that as to those matters s.h.g. believes it to be true.

Olive Maile

Petitioner

Subscribed and sworn to before me this

19th day of May, 1964

Julia Stein

Notary Public

Stearns

County, Minn.

My Commission expires October 29, 1964

* Strike (omitted or) or (incorrectly described) wherever it appears and other part noted if any part does not apply.

File No. 19,587

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Catherine Kellner

Decedent

Petition for Decree

of Omitted or Incorrectly / Described Property

Filed this 21st day of May, 1964

Robert M. Anderson
Probate Judge-Clerk

SECURITY PRINTING COMPANY, ST. LOUIS, MO. 63101

00080326

State of Minnesota,

County of Stearns

IN PROBATE COURT

FILE No. 19,587

IN THE MATTER OF THE ESTATE OF
Catherine Kellner,

Decedent.

DECREE OF OMITTED OR INCORRECTLY
DESCRIBED PROPERTY

The above entitled matter came on to be heard on the 21st day of May 19 64, upon the petition of Olive Mails, praying for the judicial determination of the decedent of property hereinafter described belonging to said decedent at the time of her death. The petitioner appeared in person and by attorneyS, Russell & Willenbring, and no one appeared in opposition to said petition.

And the Court having considered the evidence and the files and records in said matter finds the following facts:
waived by the Court.

FIRST—That notice of said hearing has been ~~filed with the clerk of this Court for said hearing~~

SECOND—That the petitioner has an interest in the property of said decedent hereinafter described as follows, to-wit:

As a daughter of decedent.

THIRD—That said estate was heretofore probated in this Court and a final decree of distribution issued therein on the 15th day of November, 19 63, and that in said decree the property hereinafter described was omitted.

That the time for appeal from said decree has expired.

FOURTH—That in said prior probate proceedings all claims of creditors allowed were paid in full. That there are no unpaid claims against said property.

FIFTH—~~That the life of Catherine Kellner was terminated by the probate proceedings in this Court~~ That there is now no inheritance tax due the State of Minnesota from said estate.

SIXTH—That the decedent at the time of his death was the owner and seized of certain property correctly described as follows, to-wit:

(A) Personal property comprising the following items, to-wit:

None in this Decree

(B) The homestead of the decedent situated in the County of - - - -

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

None

(C) Other tracts of land lying and being in the County of Stearns

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

Lots Twenty-five (25), Twenty-six (26) and Twenty-seven (27), Kellner's First Addition and Replat, Collegeville Township, Stearns County, Minnesota, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for said Stearns County, Minnesota.

SEVENTH—That the following named persons are the devisees named in the Last Will and Testament

of said decedent as heretofore determined in the prior probate proceedings and are all of the persons entitled to his estate and the property herein described, to-wit:

Olive Malle, daughter,
Leonard S. Kellner, son,
Clara Drontle, daughter,
Rose Hilegen, daughter,
Walter H. Kellner, son,
Roman P. Kellner, son,
Imelda Kellner King, daughter,
Marcus V. Kellner, son,
Mary Ann Dietman, daughter,
Dorothy Nathan, daughter,
John E. Kellner, son,
Diane Ahlstrom, granddaughter

NOW THEREFORE, on Motion of the attorney for the petitioner, 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 in this Decree.

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:

An undivided one-twelfth (1/12) interest thereof to each of the said Olive Maile, Leonard S. Kellner, Clara Drentle, Rose Nilsgen, Walter H. Kellner, Roman P. Kellner, Imelda Kellner King, Marcus V. Kellner, Mary Ann Dietman, Dorothy Nathan, John E. Kellner, and Diane Ahlstrom, in fee simple.

TO HAVE AND TO HOLD THE SAME, Together with all the hereditaments and appurtenances thereto belonging or in anywise appertaining, to the said above named persons, 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 21st day of May, 1964.

(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 Decree of Omitted or Incorrectly Described Property 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 _____ day of _____, 19____ in said County, this _____ day of _____, 19____.



_____ of the Probate Court.

File No. 19, 587

State of Minnesota,

County of Stearns

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner, Decedent.

DECREE OF OMITTED/OR/
INCORRECTLY DESCRIBED/
PROPERTY

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

Register of Deeds.

Deputy.

Transfer entered this _____

day of _____, 19____.

County Auditor.

Deputy.

Filed this 21st day of May

1964, and recorded in Book 117

of Deeds, page 130.

Attest: _____ Probate Judge - Clerk.

REGISTER OF DEEDS, ST. CLOUD, MINN. No. 19185

000880330

STATE OF MINNESOTA,

COUNTY OF STEARNS

RE ESTATE OF

Catherine Kellner,

PROBATE COURT

File No. 19,587

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

(Seal)

Dated this

22nd

day of

October

1963

Russell & Willenbring,

Attorneys

John Long
Probate Judge.

STATE OF MINNESOTA,

COUNTY OF STEARNS

RE ESTATE OF

Catherine Kellner,

PROBATE COURT

FILE NO. 19,587

IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on Friday, April 19th, 1963, 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, July 19th, 1963, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

(SEAL)

Dated this

19th

day of

March

1963

Russell & Willenbring,

Attorneys S.

John Long
Probate Judge.

NOTE: Make this order in duplicate.

FILE NO. 19,587

STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT

RE ESTATE OF

Catherine Kellner,
Decedent.

ORDER FOR HEARING PETITION
TO ADMIT WILL AND NOTICE
TO CREDITORS

Publish in Cold Spring Record

Hearing Will April 19th, 19 63

Hearing Claims July 19th, 19 63

FILED THIS 19th DAY
OF March A.D. 1963
Josephine B. Boush
CLERK OF PROBATE

NOTE: Make this order in duplicate.

FILE NO. 12,587

STATE OF MINNESOTA,
COUNTY OF STEARNS
PROBATE COURT

RE ESTATE OF

Catherins Kellner,
Decedent.

ORDER FOR EXAMINATION OF
FINAL ACCOUNT

Publish in Cold Spring Record

Hearing November 15th, 19 63

FILED THIS 22nd DAY
OF Oct A.D. 1963
Josephine B. Boush
CLERK OF PROBATE

000080332

State of Minnesota,

ss.

County of Stearns

IN PROBATE COURT

In the Matter of the Estate of

Catherine Kellner,

Decedent

ORDER LIMITING TIME

Letters Testamentary of said estate

this day having been granted unto Olive Maile

of said County, it is ordered that the said Olive Maile

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

By the Court,

Dated April 23rd, 1963

(Court Seal)

John Lang
Judge of Probate

00080333

19,587

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Catherine Kellner,

Decedent.

Order Limiting Time to
Settle Estate

Filed this 23rd day of

April, 19 63, and

recorded in book

of Orders at Page

Josephine B. Boush
Clerk—Judge of Probate

State of Minnesota,

County of Stearns

} ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner

Decedent.

State of Minnesota,

County of Stearns

} ss.

Yvonne Hiemenz

secretary of the

being duly sworn, on oath says; that she is the attorney for the representative in the matter above entitled and has full knowledge of the facts herein set forth; that on the Fifth (5) day of April 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

Leonard S. Kellner	Cold Spring, Minn.	Marcus V. Kellner	Cold Spring, Minn.
Olive Maile	Cold Spring, Minn.	Mary Ann Dietman	Cold Spring, Minn.
Clara Drontle	Cold Spring, Minn.	Dorothy Nathan	St. Joseph, Minn.
Rose Hilsen	Oakdale Addition #17 St. Cloud, Minn.	John E. Kellner	Cold Spring, Minn.
Walter H. Kellner	8217 Sheridan Ave. Hopkins, Minnesota	Diane Ahlstrom	7539 Bloomington Ave. S. Minneapolis, Minnesota
Roman P. Kellner	Cold Spring, Minn.		
Imelda Kellner King	7539 Bloomington Ave. S. Minneapolis, Minn.		

Subscribed and sworn to before me this Fifth (5)
day of April, 19 63.

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

My commission expires April 19, 1967 19

000000335

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner

Decedent.

AFFIDAVIT OF SERVICE
BY MAILFiled this 8th day of
April, 19 63*Rudolph K. Kellner*
Clerk—Judge of Probate.STATE OF MINNESOTA
COUNTY OF STEARNS
PROBATE COURT
File No. 19,587Re Estate of Catherine Kellner,
Decedent.

IT IS ORDERED that the petition filed herein to admit to probate the last will of decedent be heard on Friday, April 19th, 1963, 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, July 19th, 1963, at 9 o'clock A.M. by this court in the Court House in St. Cloud, Minn.

Dated this 19th day of March, 1963.

(Seal)
Russell & Willenbring,

Attorneys.

John Lang

Probate Judge.

Pub. March 21, 28 April 4.

State of Minnesota,

} ss.

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

County of Stearns

Catherine Kellner

Decedent.

State of Minnesota,

} ss.

County of Stearns.

Yvonne Hiemenz

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 1st day of November 1963, she mailed a true hereto attached and made a part hereof by enclosing it in a sealed envelope and

copy of the printed notice

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 true 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

Leonard S. Kellner	Cold Spring, Minnesota	Mary Ann Dietman	Cold Spring, Minnesota
Olive Maile	Cold Spring, Minnesota		
Clara Drontle	Cold Spring, Minnesota	Dorothy Nathan	St. Joseph, Minnesota
	Oakdale Addition #17,		
Rose Hilsagen	St. Cloud, Minnesota	John E. Kellner	Cold Spring, Minnesota
	8217 Sheridan Avenue		7539 Bloomington Ave. S.
Walter R. Kellner	Hopkins, Minnesota	Diane Ahlstrom	Minneapolis, Minnesota
Roman P. Kellner	Cold Spring, Minnesota		
	7539 Bloomington Avenue South		
Imelda Kellner King	Minneapolis, Minnesota		
Marcus V. Kellner	Cold Spring, Minnesota		

Subscribed and sworn to before me this 1st

day of November, 1963.

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

My commission expires April 19 1967

000000337

State of Minnesota,

County of Stearns

PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner,
Decedent.AFFIDAVIT OF SERVICE
BY MAILFiled this 4th day of
November, 1963.

 Clerk—Judge of Probate.
STATE OF MINNESOTA
County Of Stearns
PROBATE COURT
File No. 19,587Re Estate of Catherine Kellner,
Decedent.

IT IS ORDERED that the final account and petition for examination thereof and for distribution herein be heard on Friday, November 15th, 1963, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

(Seal)

Dated this 22nd day of October 1963.

John Lang
Probate Judge
Russell and Willenbring,
Attorneys.

PRINTER'S AFFIDAVIT OF PUBLICATION

Printer's Affidavit of Publication. (Nason's Minn. Statutes, 1927, Chaps. 10925, 10926, as amended by Chap. 272, G. L. 1923, as amended by L. 1925, 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. 19,587

Re Estate of Catherine Kelner,
Decedent.

IT IS ORDERED that the final account and petition for examination thereof and for distribution herein be heard on Friday, November 15th, 1963, at 9 o'clock A. M. by this court in the Court House in St. Cloud, Minn.

(Seal)

Dated this 22nd day of October 1963.

John Lang
Probate Judge
Russell and 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 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 24th day of October, 1963, and thereafter on Thursday of each week to and including the

7th day of November, 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 13th day of November, 1963.

Julia Stein, Notary Public, Stearns County, Minn.

My Commission expires October 29, 1964

00080339

19,587

STATE OF MINNESOTA
County of Stearns

PROBATE COURT
In the Matter of the Estate of
Catherine Hellner
Decedent



FILED THIS 15th DAY
OF November A.D. 1963
Joseph Burkholder
CLERK OF PROBATE

000000340

STATE OF MINNESOTA

IN PROBATE COURT

COUNTY OF STEARNS

File No. 19,587

In the matter of the estate of
CATHERINE KELLNER, Deceased

ORDER TO PLAT REAL ESTATE

Upon the verified petition of Olive Maile, executrix of the above entitled estate, for an order authorizing and directing her to plat certain real estate, to-wit:

Lots #1, 2, 3, 4, 5 & 6 of "Kellner's Addition" a platted Subdivision lying in Government Lot Two (2) and Parts of Government Lots One (1) and Two (2) of Section Twenty-eight (28), Township One Hundred Twenty-four (124) North, Range Thirty (30) West, Stearns County, Minnesota, described as follows:-

Beginning at the Southwest corner of said Government Lot 2; Thence, along the South Line of said Government Lot 2 Due East Two Hundred Twenty-nine and Sixty-six Hundredths (229.66) feet; Thence, along the East Line of Kellner Drive, North 33°42' West One Hundred Thirty-two and Forty-eight Hundredths (132.48) feet; Thence North 04°04' West One Hundred Sixty-three and Eighty-eight Hundredths (163.88) feet; Thence North 04°14' East Three Hundred Fifty-seven and Thirty-six Hundredths (357.36) feet; Thence North 25°29' West Two Hundred Fifty-six and Twelve Hundredths (256.12) feet to the Point of Beginning of the tract herein described; Thence North 33°41' West Two Hundred Twenty-nine and Ninety-two Hundredths (229.92) feet; Thence North 65°40' West Two Hundred Twenty-six and Thirty-three Hundredths (226.33) feet; Thence North 38°00' West Two Hundred Thirty-four and Fifty-four Hundredths (234.54) feet; Thence North 50°50' East One Hundred Thirty-four and Nineteen Hundredths (134.19) feet; Thence North 17°25' East Four Hundred Sixty-eight and Four Hundredths (468.04) feet; Thence North 71°33' East One Hundred Sixty-two and Thirty-one Hundredths (162.31) feet; Thence North 17°01' West Two Hundred Fifteen and Fifteen Hundredths (215.15) feet More or less to the Water shoreline of Big Fish Lake; Thence, along shoreline Southwesterly and Southeasterly One Thousand Seven Hundred Twenty-seven (1727) feet more or less to a point that is South 37°55' West Eighteen (18.0) feet more or less from the most Westerly corner of Lot Seven (7) of said "Kellner's Addition"; Thence, along the boundary line between Lots 6 & 7 of said "Kellner's Addition" One Hundred Eighteen and Three Tenths (118.30) feet more or less to the most Northerly Corner of said Lot Seven (7); Thence, along the Westerly Line of "Kellner Drive" South 51°29' East Two Hundred Seven and Thirty-five Hundredths (207.35) feet; Thence North 68°37' East Thirty-three and Five Hundredths (33.05) feet to the Point of Beginning. Tract containing 7.25 acres, more or less,

and, it appearing to the court that it is for the best interests of the estate and all persons interested therein that said real estate be platted,

NOW THEREFORE, It is hereby ordered that Olive Maile, as executrix of the estate of Catherine Kellner, deceased, be, and hereby is, authorized to plat the above described real estate.

Dated at St. Cloud, Minnesota

this 26 day of July, 1963.

BY THE COURT

John Long
Probate Judge

00080341

19,587

STATE OF MINNESOTA IN PROBATE COURT

COUNTY OF STEARNS File No. 19,587

In the matter of the estate of
CATHERINE KELLNER, Deceased

ORDER

TO

PLAT REAL ESTATE

FILED THIS 26 DAY

OF July A.D. 1963

[Signature]
CLERK OF PROBATE

000880342

STATE OF MINNESOTA
COUNTY OF STEARNS

IN PROBATE COURT
File No. 19,587

In the matter of the estate of
CATHERINE KELLNER, Deceased

P E T I T I O N
FOR AN ORDER TO PLAT REAL ESTATE

Your petitioner respectfully represents and shows to the court:

1. That she is the duly qualified and acting executrix of the estate above named.
2. That the will of the above named decedent was duly admitted to probate in this court on January 25, 1963.
3. That paragraph SEVENTH of said will directs the executrix to employ a surveyor to survey lakeshore property owned by said decedent, and divide it into twelve 140-foot frontage lots, and in said paragraph decedent devised one of said lots to each of her stepchildren, children and grandchild thereafter named.
4. That petitioner has employed a surveyor and caused said survey to be made; that she believes it to be in the best interests of the estate and all persons interested therein that said lakeshore lots be platted. That the area to be included in said plat, to be known as "Kellner's First Addition and Replat" is as follows:

Lots #1, 2, 3, 4, 5 & 6 of "Kellner's Addition" a platted Subdivision lying in Government Lot Two (2) and Parts of Government Lots One (1) and Two (2) of Section Twenty-eight (28), Township One Hundred Twenty-four (124) North, Range Thirty (30) West, Stearns County, Minnesota, described as follows:-

Beginning at the Southwest corner of said Government Lot 2; Thence, along the South Line of said Government Lot 2 Due East Two Hundred Twenty-nine and Sixty-six Hundredths (229.66) feet; Thence, along the East Line of Kellner Drive, North 33°42' West One Hundred Thirty-two and Forty-eight Hundredths (132.48) feet; Thence North 04°04' West One Hundred Sixty-three and Eighty-eight Hundredths (163.88) feet; Thence North 04°14' East Three Hundred Fifty-seven and Thirty-six Hundredths (357.36) feet; Thence North 25°29' West Two Hundred Fifty-six and Twelve Hundredths (256.12) feet to the Point of Beginning of the tract herein described; Thence North 33°41' West Two Hundred Twenty-nine and Ninety-two Hundredths (229.92) feet; Thence North 65°40' West Two Hundred Twenty-six and Thirty-three Hundredths (226.33) feet; Thence North 38°00' West Two Hundred Thirty-four and Fifty-four Hundredths (234.54) feet; Thence North 50°50' East One Hundred Thirty-four and Nineteen Hundredths (134.19) feet; Thence North 17°25' East Four Hundred Sixty-eight and Four Hundredths (468.04) feet; Thence North 71°33' East One Hundred Sixty-two and Thirty-one Hundredths (162.31) feet; Thence North 17°01' West Two Hundred Fifteen and Fifteen Hundredths (215.15) feet more or less to the Water shoreline of Big Fish Lake; Thence, along shoreline Southwesterly and Southeasterly One Thousand Seven Hundred Twenty-seven (1727) feet

more or less to a point that is South 37°55' West Eighteen (18.0) feet more or less from the most Westerly corner of Lot Seven (7) of said "Kellner's Addition"; Thence, along the boundary line between Lots 6 & 7 of said "Kellner's Addition" One Hundred Eighteen and Three Tenths (118.30) feet more or less to the most Northerly Corner of said Lot Seven (7); Thence, along the Westerly Line of "Kellner Drive" South 51°29' East Two Hundred Seven and Thirty-five hundredths (207.35) feet; Thence North 68°37' East Thirty-three and Five hundredths (33.05) feet to the Point of Beginning. Tract containing 7.25 acres, more or less.

WHEREFORE, Your Petitioner prays an order of this court authorizing and directing that she, as executrix of the estate of Catherine Kellner, deceased, be authorized and directed to plat the above described real property.

Dated: July 25, 1963.

Olive Maile

STATE OF MINNESOTA
SS
COUNTY OF STEARNS

Olive Maile, 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.

Olive Maile

Subscribed and sworn to before me this

25th day of July, 1963.

Julia Stein
JULIA STEIN, Notary Public
Stearns County, Minnesota
My commission expires October 29, 1964.

19,587

STATE OF MINNESOTA IN PROBATE COURT
COUNTY OF STEARNS File No. 19,587

In the matter of the estate of
CATHERINE KELLNER, Deceased

P E T I T I O N

FOR AN ORDER TO PLAT REAL ESTATE

FILED THIS 26 DAY
OF July A.D. 19 63
Boyle K. Jones
CLERK OF PROBATE

000880345

FINAL ACCOUNT AND PETITION FOR SETTLEMENT

State of Minnesota, } ss.
 County of Stearns }

IN PROBATE COURT

IN THE MATTER OF THE ESTATE OF

Catherine Kellner

Decedent

Final Account and Petition
for Settlement

Date of death March 3rd, 1963

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		\$ 8,144.79	\$
Personal estate omitted from the inventory	Additional cash in bank	\$ 994.88	\$
Gain by sales above appraised value		\$	\$
Cash from sales of real estate		\$ 8,365.50	\$
Cash from rent of real estate		\$	\$
Cash from interest and profits	Interest on savings accounts	\$ 192.71	\$
Cash from other sources		\$	\$
Insurance refund		\$ 15.40	\$
		\$	\$
		\$	\$
		\$	\$
Total receipts from all sources		\$17,713.28	\$

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 & 2	\$ 50.00 R	\$
Cash paid for publication of orders	3	\$ 18.00 R	\$
Repairs to real estate		\$	\$
Cash paid for insurance	4	\$ 19.30 R	\$
Expenses of representative		\$	\$
Compensation of representative	5	\$ 100.00 R	\$
Fees of Attorney	6	\$ 1,025.00 R	\$
Bond of Representative	7	\$ 28.00 R	\$
Certified copies (Probate Court) - & recording etc.	8	\$ 41.46 R	\$
Register of Deeds, recording		\$	\$
Abstract continuation	9 & 10	\$ 28.00 R	\$
Survey, platting & levelling of lake shore	11	\$ 365.20 R	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total expense of administration		\$ 2,153.56	\$

III. EXPENSES OF LAST SICKNESS

		VOUCHER NO.	AMOUNT
Cash paid for medical attendance	Dr. Richard F. Kline	12	\$ 130.50 K
Cash paid for medicines	Rieland Drugs	13	\$ 1.49 K
Cash paid for nursing			\$
Cash paid for hospital			\$
Total expenses of last sickness			\$ 131.99

IV. FUNERAL EXPENSES

Cash paid for undertaker	The Wenner Company	14	\$ 842.00
Cash paid seizon	Frank Schmitt - grave digging	15	\$ 32.00
Cash paid for other necessary services	Memorial cards	16	\$ 10.90
Cash paid for burial service		17	\$ 12.00
Cash paid for monument			\$
Cash paid to cemetery			\$
Total funeral expenses			\$ 902.90

V. TAXES

Personal property tax lien at date of death	-	-	-	-	-	\$
Other personal property taxes	-	-	-	-	-	\$
Real property tax lien at date of death	-	-	-	-	18	\$ 272.30
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	-	-	-	-	-	\$ 272.30

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
Masses as provided in will:		
For the repose of the soul of Catherine Kellner	\$100.00	\$ 100.00
Gregorian masses for Edward Kellner	31.00	\$ 31.00
For Mr. and Mrs. John Neis	25.00	\$ 25.00
For Mr. and Mrs. Peter Kellner	25.00	\$ 25.00
	<u>\$181.00</u>	\$ 181.00
Church of St. Boniface of Cold Spring, Minnesota	20	\$ 50.00
Imelda Kellner Ring - high walnut desk	22	\$ 25.00
Total legacies and bequests paid		\$ 251.00

Re: Catherine Kellner Estate

Petitioner represents and states further as follows:

1. That paragraph SEVENTH of decedent's last will and testament provides as follows:

"I order and direct that as soon after my decease as conveniently may be, my executrix employ a surveyor to survey into twelve 140-foot frontage lakeshore lots, 200 feet deep, along the lakeshore of Big Fish Lake, beginning at the south end of lakeshore property which I own and continuing north for 1,680 feet. I give, and devise, to each of my stepchildren, children and grandchild hereinafter named, one of these 140-foot lots, namely to:

Olive Maile, Leonard S. Kellner, Clara Drontle, Rose Hilsen, Walter H. Kellner, Roman P. Kellner, Imelda Kellner, Marcus V. Kellner, Mary Ann Dietman, Dorothy Nathan, John E. Kellner, and Diane Ahlstrom, daughter of my deceased daughter, Helen Ahlstrom."

2. That, at the request of the devisees, the 140-foot lots were platted as two 70-foot lots each, averaging 200 feet in depth. That petitioner, as executrix, arranged for the levelling, surveying, and platting of said lakeshore property, and attended to the recording of said plat, entitled Kellner's First Addition and Replat.

3. That on May 30, 1963, twelve slips of paper, each containing numbers of two adjoining lots to make 140-foot lakeshore frontage, were placed in a container and drawn therefrom by the devisees named above. The numbers drawn by the respective devisees, which numbers identify the lots of Kellner's First Addition and Replat which each devisee is to receive and which are to be decreed to the respective devisees, are as follows:

Olive Maile - - 19 and 20
Leonard S. Kellner - - 13 and 14
Clara Drontle - - 9 and 10
Rose Hilsen - - 15 and 16
Walter H. Kellner - - 7 and 8
Roman P. Kellner - - 17 and 18
Imelda Kellner King - - 3 and 4
Marcus V. Kellner - - 5 and 6
Mary Ann Dietman - - 23 and 24
Dorothy Nathan - - 21 and 22
John E. Kellner - - 1 and 2
Diane Ahlstrom - - 11 and 12

RECAPITULATION

Not to be filled
in by
Representative
RECEIPTS

	RECEIPTS	DISBURSEMENTS	
Total receipts from all sources - - - - -	\$ 17,713.28		\$
Total disbursements and credits as follows:			Disbursements
1. Family - - - - -		\$.00	\$
2. Expenses of administration - - - - -		\$ 2,153.56	\$
3. Expenses of last sickness - - - - -		\$ 131.99	\$
4. Funeral Expenses - - - - -		\$ 902.80	\$
5. Taxes - - - - -		\$ 272.30	\$
6. Claims of creditors - - - - -		\$.00	\$
7. Specific Legacies - - - - -		\$ 231.00	\$
8. Residue of personal prop. for distribution - - -		\$ 14,021.53	\$
9. - - - - -		\$	\$
10. - - - - -		\$	\$
11. - - - - -		\$	\$
12. - - - - -		\$	\$
13. - - - - -		\$	\$
Total - - - - -	\$ 17,713.28	\$ 17,713.28	\$

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 _____ Stearns _____,
State of Minnesota, described as follows: _____

Lots One (1) through Twenty-four (24), Kellner's First Addition and Replat.

(see separate statement attached)

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

Cash.....\$ 14,021.53

FIFTH—That said decedent died on the 2nd day of March, 19 63,
testate, and left her or surviving her children and granddaughter as follows:

Olive Maile, daughter
Leonard S. Kellner, son
Clara Drontle, daughter
Rose Hilsen, daughter
Walter H. Kellner, son
Roman P. Kellner, son
Imelda Kellner King, daughter
Marcus V. Kellner, son
Mary Ann Dietman, daughter
Dorothy Nathan, daughter
John E. Kellner, son
Diane Alstrom, granddaughter

who are sole 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 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 October 21, 19 63

Olive Maile
Petitioner

State of Minnesota,

County of Stearns

ss.

Olive Maile

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

21st day of October, 19 63

Olive Maile
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.

No. 19,587

State of Minnesota,

County of Stearns

PROBATE COURT

In the Matter of the Estate of

Catherine Kellner
Decedent

Final Account and Petition for
Hearing and Allowance
Thereof

Russell & Willenbring
Attorney for Petitioner

Filed this 22nd day of October, 19 63

Thaslyn H. Housner
Clerk—Judge of Probate

No. 1149*