

Keller, Frieda	Case #	Date	
	E-82-56	6/9/1982	Disqualification of Judge
			Last Will & Testament
Anderson, Robert S			Judge
Hakes, Maxine Joan (Keller)			Personal Representative/Heir
Elzey, Norma Catherine (Keller)			Personal Representative/Heir
Keller, Frieda	Case #	Date	
	E-82-56	7/27/1982	Inventory #1 filed

ESTATE OF)

ESTATE NO. E-82-56

FRIEDA KELLER, DECEASED)

Comes now Robert S. Anderson, Judge of the Adams Circuit Court, sua sponte, and advises the lawyers and parties in this matter of his disqualification pursuant to Canon 3C of the Code of Judicial Conduct of the Indiana Rules of Court.

Comes now the lawyers and parties and file Disclosure of Disqualification of Judge and Request For Judge To Assume And Retain Jurisdiction, which is in the following words and figures, to wit:

STATE OF INDIANA

SS:

COUNTY OF ADAMS

IN THE ADAMS CIRCUIT COURT
82 JUN 9 P 1:42
ESTATE NO. E82-56
MARCEL KAY LINN, CLERK

IN THE MATTER OF THE
SUPERVISED ESTATE OF:
FRIEDA KELLER, DECEASED

DISCLOSURE OF DISQUALIFICATION
OF JUDGE AND REQUEST FOR JUDGE
TO ASSUME AND RETAIN JURISDICTION

The undersigned, as the Personal Representatives and sole and only persons interested in the estate of Frieda Keller as above captioned would respectfully say as follows:

The Honorable Robert S. Anderson, being the Judge of the Adams Circuit Court, having indicated to the undersigned his intent to disqualify himself pursuant to Canon 3(C) of the code of Judicial Conduct of the Indiana Rules of Court in that he either prepared and/or witnessed the Last Will and Testament of the decedent herein, and the undersigned based upon such disclosure, the lawyers after consultation with the undersigned independently of the participation of Judge Robert S. Anderson, agree by this instrument that the relationship of Judge Robert S. Anderson is immaterial and/or that his financial interest is insubstantial and that the said Robert S. Anderson is no longer disqualified and should serve as Judge having jurisdiction of any and all matters in this cause.

The undersigned respectfully asks and requests Judge Robert S. Anderson to assume and retain jurisdiction of this estate and the administration thereof, reserving the right to revoke this request at any time by instrument in writing filed herein.

WITNESS our hands and seals at the City of Decatur, Indiana, this 8th day of June, 1982.

CLIENT

LAWYERS

Maxine Joan Keller Hakes (SEAL)
Maxine Joan Keller Hakes

Robert G. Smith (SEAL)
Robert G. Smith

Norma Catherine Keller Elzey (SEAL)
Norma Catherine Keller Elzey

And the Court now having seen and inspected said Request for Judge to Assume and Retain Jurisdiction, and being duly advised in the premises, now assumes and retains jurisdiction of this cause of action, pursuant to and in compliance with Canon 3D of the Indiana Rules of Court of the Supreme Court of Indiana, Judgment accordingly.

The Clerk of the Adams Circuit Court is hereby ordered and directed to furnish a certified copy of this Order to Robert G. Smith, Smith, Burry & Herman, 113 N. 2nd Street, Decatur, Indiana, 46733 first class United States mail, postage pre-paid.

Last Will and Testament of Frieda Keller, deceased, is now offered for probate. Said Last Will and Testament of Frieda Keller, deceased, is now submitted to the Court for probate and the Court now having seen and inspected said last will and testament of said decedent, having heard evidence submitted thereon and being sufficiently advised in the premises now finds that the said last will and testament of said decedent ought to be probated and placed of record.

It is therefore now ordered, adjudged and decreed, by the Court that the last will and testament of Frieda Keller, deceased, be probated and placed of record.

Petition For Probate of Will filed in the following words and figures to wit:

WEDNESDAY, JUNE 9, 1982

FILED ADAMS COUNTY
CIRCUIT COURT

501

82 JUN 9 P 1:43

PETITION FOR PROBATE OF WILL

NANCEE KAY LINN. CLERK

State of Indiana, Adams County, ss:

Maxine Joan Keller Hakes and Norma Catherine Keller Elzey

petitions the Court and says:

1. Decedent's Name, Date of Death, etc. Decedent Frieda Keller

_____, age 81, died June 3, _____, 19 82.

2. Decedent is believed to have died testate, leaving a LAST WILL AND TESTAMENT dated May 11, 1973, ~~and codicil or codicils thereto~~
dated:

is
respectively. Such will and codicil(s) thereto are submitted to the Court herewith

After making such will and any such codicils thereto, the marital status of the decedent was not changed by divorce or annulment, except as follows:

No change

(If changed by divorce or annulment, see I. C. 1971 29-1-5-8)

WHEREFORE, petitioner prays the Court for an Order probating decedent's will and any codicils mentioned above.

I affirm under the penalties for perjury,
that the foregoing representations are
true.

Norma Catherine Keller Elzey

Maxine Joan Keller Hakes PETITIONER

DATED June 9, 1982

PETITION FOR APPOINTMENT OF PERSONAL REPRESENTATIVE

Maxine Joan Keller Hakes and Norma Catherine Keller ^{Elzey} petition the Court and says:

1. Decedent, Frieda Keller, age 81, died ~~testate~~ ^{intestate} on the 3rd day of June, 1982.

- ☒ At the time of death, decedent was domiciled in Adams County, Indiana.
- ☒ At the time of death, decedent left property in Adams County, Indiana.
- ☒ ~~After death, property of decedent has come into Adams County, Indiana.~~

2. The name, age, relationship to the decedent, and place of residence of each known distributee of such decedent's estate is:

Name	Age	Relationship	Residence
Maxine Joan Keller Hakes	Adult	Daughter	R. R. #7 Decatur, Indiana, 46733 226 N. 10th St.
Norma Catherine Keller Elzey	Adult	Daughter	Decatur, Indiana, 46733

[Additional names should be shown on attached sheet.
Include pretermitted children, if any - see I. C. 1971 29-1-3-8.]

3. The probable value of decedent's property is: Real Property \$ over 1,000.00
Personal Property \$ over 1,000 Estimated Annual Rental Value \$ None

4. The name and place of residence or business address of the personal representative who appointment is sought by this petition is: Maxine Joan Keller Hakes and Norma Catherine Keller Elzey, c/o Smith, Burry & Herman, 113 North Second Street, Decatur, Indiana,
who is entitled to be so appointed because: named as such by decedent in her will

[State facts required by I. C. 1971 29-1-10-1]

5. The name and business address of counsel who will represent the personal representative of decedent's estate is: Smith, Burry & Herman, 113 North Second Street, Decatur, Indiana, 46733

[Strike paragraphs 6 through 9 if supervised administration is requested.]

6. Petitioner is informed and so believes this estate to be in fact solvent:

7. The personal representative is qualified to administer the estate without Court supervision.

8. All such decedent's distributees join in this petition for administration without Court supervision and freely consent to and understand the significance of administration without Court supervision, as evidenced by their written consents filed herewith.

9. Decedent's Will does not request supervised administration.

WHEREFORE, petitioner prays the Court for an order a) appointing the personal representative of decedent's estate, b) directing issuance of appropriate Letters evidencing such appointment upon proper qualification in the manner provided by law, and c) authorizing the personal representative to administer decedent's estate with
without Court supervision.

I affirm, under the penalties for perjury, that the foregoing representations are true.

Maxine Joan Keller Hakes
Maxine Joan Keller Hakes

Norma Catherine Keller Elzey
Norma Catherine Keller Elzey PETITIONER

TO THE CLERK:

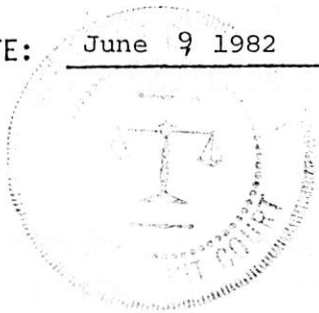
Maxine Joan Keller Hakes and

You may issue PERSONAL REPRESENTATIVE'S LETTERS to Norma Catherine Keller Elzey,

for supervised
~~unsupervised~~ administration.

Robert S. Anderson
ROBERT S. ANDERSON JUDGE

DATE: June 9 1982




FILED ADAMS COUNTY
CIRCUIT COURT

WANCEE KAY LINN, CLERK

NO. E82-56

is 9th day of June, 1982.



Judge of Adams Circuit Court

WEDNESDAY, JUNE 9, 1982.

FILED ADAMS COUNTY

505

Personal Representative's Oath filed in the following words and figures, to wit:

82 JUN 9 P 1:43

MANUEE KAY LINN, CLERK

STATE OF INDIANA)
COUNTY OF ADAMS)

IN THE MATTER OF THE ESTATE OF
FRIEDA KELLER DECEASED

ESTATE NO. E82-56

PERSONAL REPRESENTATIVE'S OATH

We, Maxine Joan Keller Hakes and Norma Catherine Keller Elzey,
I, _____, affirm, under the

penalties for perjury, that I will faithfully discharge the duties of my

trust as personal representative of the estate of Frieda Keller

_____, deceased, according to law.

Maxine Joan Keller Hakes
Maxine Joan Keller Hakes
Personal Representative

Norma Catherine Keller Elzey
Norma Catherine Keller Elzey
PERSONAL REPRESENTATIVE



Subscribed to in my presence, this

9th day of June 19 82.

Robert G. Smith
Robert G. Smith, Notary Public
My Commission Expires:
January 2, 1983

S/ Robert S. Anderson
Robert S. Anderson, Judge Adams Circuit Court

CHERYL L. EICHER, A MINOR FILED IN ADAMS COUNTY

NO. 1826

Guardian's final account filed in the following words and figures, to wit:
STATE OF INDIANA IN THE ADAMS CIRCUIT COURT

COUNTY OF ADAMS SS: JUN 9 A 9:41

GUARDIANSHIP NO. 1826

IN THE MATTER OF THE ESTATE OF KAY LINDA CLARK
GUARDIANSHIP OF:
CHERYL L. EICHER,
A MINOR (AN INCOMPETENT)

GUARDIAN'S FINAL ACCOUNT

Comes now Martha McBarnes, and being first duly sworn upon her oath would show the Court as follows:

1. That heretofore on the 20th day of October, 1965, she was duly appointed as Guardian of the person and estate of Cheryl L. Eicher, an incompetent, and thereupon duly qualified as such and has since said date been serving as such Guardian.

2. That she has made interim accounts as required by law, the last of said accounts being duly filed in Court on the 3rd day of October, 1979, and was thereupon duly approved by the Court.

3. That the undersigned attaches hereto as Exhibit "A" a statement showing all funds received; by Exhibit "B", a statement showing all funds expended by this Guardian from the 3rd day of October, 1979 to the present time. Said Exhibit "C" shows funds on hand which this Guardian proposes to transfer to a successor guardian.

4. This report is being filed for the reason that the health of the undersigned is failing and that she is no longer able to serve as such guardian and has requested that the Bank of Geneva be appointed as a successor Guardian and is petitioning the Court for the appointment of such successor with the filing of this account.

WHEREFORE, this Petitioner prays that the account set out herein be approved and that in accordance with the Petition filed herein that a successor guardian for Cheryl L. Eicher be appointed and that the undersigned be ordered to pay over the balance of the funds of the guardianship to such successor guardian and that such further orders be entered as may be right and proper in the premises.

Martha McBarnes
Martha McBarnes

STATE OF INDIANA, COUNTY OF ADAMS, SS:

Martha McBarnes, being first duly sworn upon her oath deposes

and says that she has read the above and foregoing Guardian's Final Account and that the matters and facts set out therein are true.

Martha McBarnes
Martha McBarnes

Subscribed and sworn to before me this 4th day of June, 1982.

Amita Hodgins Mosser
Notary Public

My Commission Expires: 2-4-1983

Written resignation of guardian filed in the following words and figures, to wit;

ESTATE OF)
FRIEDA KELLER, DECEASED)

ESTATE NO. E-82-56

Personal Representative's Inventory No. 1 filed, examined and approved.

S/ Robert S. Anderson
Robert S. Anderson, Judge Adams Circuit Court
