

Schmitt, Simeon M (Rev Msgr)	Case #	Date	
	E-81-44	6/3/1982	Proof of Mailing
Schmitt, Denis (Rev) (SJ)			Heir
St Mary's Catholic Church			Heir
Diocese of Fort Wayne/South Bend			Heir
Clergy Relief Society Diocese of Fort Wayne			Heir
Carmelite Monastery of St Joseph			Heir
O'Dowd, Jerome			Heir
		6/24/1982	Petition for allowance of fees
Place, Terry E			Personal Representative
Schmitt, Denis E (Rev SJ)			Heir
Carmelite Monastary of St Joseph			Heir
Diocese of Ft Wayne-South Bend			Heir
Chancellor of Diocese of Ft Wayne-South Bend			Heir
Clergy Relief Society			Heir
St Mary's Catholic Church			Heir

ESTATE OF)

ESTATE NO. E-81-44

REV. MSGR. SIMEON M. SCHMITT, DECEASED)

Proof of mailing of notice to all persons interested in said estate in the matter of the determination of inheritance tax filed.

Notice by the Circuit Court in the Matter of Appraiser's report

Cause No. E-81-44

In the Circuit Court, County of ADAMS, State of Indiana.

I hereby give notice that, pursuant to Indiana Code 6-4.1-5-9,

I shall on the 1 day of APRIL, 1982, hear the report of
ANNA SPANGLER appraiser, in the matter of the estate of REV. MSGR. SIMEON SCHMITT, deceased; that at the time so fixed I shall proceed to determine the cash value of such estate and fix the amount of tax for which the same is liable.

Dated at DECATUR, Indiana, MARCH 11 1982.

ROBERT S. ANDERSON

Judge of the ADAMS Circuit Court.

Attest. NANCEE KAY LINN

Clerk of the ADAMS Circuit Court.

This notice shall be given twenty days before the time fixed for hearing.

State of Indiana
County of Adams, SS:

I, NANCEE KAY LINN Clerk of the Adams Circuit Court, Adams County, Indiana,

hereby certify that the above and foregoing is a true copy of the notices mailed this 11 day of MARCH 1982 to all interested Parties and officials, namely Rev. Denis

Schmitt, S.J.; St. Mary's Catholic Church; Diocese of Ft. Wayne-South Bend; Carmelite Monastery of St. Joseph; Clergy Relief Society Diocese of Ft Wayne; Jerome O'Dowd; State of Indiana, Inderitance Tax Division; Galen A. Sprunger, Treasurer of Adams County

Witness my hand and seal this 11th day of MARCH 1982.

Nancee Kay Linn
Clerk, Adams Circuit Court.

Inheritance tax appraiser's report submitted, finding the net value of said estate to be \$191,377.91, and that there is no inheritance tax due or payable in any event.
S/ Robert S. Anderson
Robert S. Anderson, Judge Adams Circuit Court

Read and signed.

Robert S. Anderson
ROBERT S. ANDERSON, JUDGE ADAMS CIRCUIT COURT

THURSDAY, JUNE 24, 1982

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

ESTATE OF)	ESTATE NO. E-81-44
REV. MSGR. SIMEON M. SCHMITT, DECEASED)	

Petition for allowance of fees to personal representative and attorney filed in
the following words and figures, to wit;

STATE OF INDIANA)
COUNTY OF ADAMS) SS:

IN THE ADAMS CIRCUIT COURT
ESTATE NO. E-81-44

IN THE MATTER OF THE SUPERVISED)
ESTATE OF REV. MSGR. SIMEON M.)
SCHMITT, DECEASED.)

82 JUN 24 PM 4:10
JANICE DAV LARK CLERK
FILED IN ADAMS COUNTY
CIRCUIT COURT

PETITION FOR ALLOWANCE OF FEES TO
PERSONAL REPRESENTATIVE AND ATTORNEY

Comes now Terry E. Place as Personal Representative of the Estate of Rev. Msgr. Simeon M. Schmitt, deceased, who being duly sworn upon his oath respectfully petitions and shows the Court as follows:

1. That said Terry E. Place qualified as executor of the decedent's estate on the 9th day of April, 1981, and said estate has been administered except for final distribution and closing of the estate.

2. That upon the personal representative qualifying he employed as his attorney Jerome J. O'Dowd and said attorney has continuously acted since such employment and is now acting as attorney for said personal representative. The services of said personal representative and his attorney have included, among other things, the following usual and customary services in administration of said decedent's estate: preparation and filing of petition for probate of will and issuance of Letters and probating such will and the qualification of said executor; the taking into custody by said personal representative of the property of the estate; preparation and filing of inventory of the property of the estate; collection of the income from the property belonging to said estate in the total amount of Thirty-six Thousand Nine Hundred Eighty-three and 46/100 (\$36,983.46) Dollars, and payment of debts of the decedent and claims against the estate and expenses of administration and bequests in the total amount of approximately Twenty-two Thousand Nine Hundred Eighty-three and 79/100 (\$22,983.79) Dollars; preparation and filing of Indiana Inheritance Tax Schedules and preparation of Order Finding No Tax Due; preparation and filing of Federal Estate Tax Return upon which no

tax was due; and preparation and filing of Federal Income Tax Returns and Indiana gross and adjustee gross income tax returns for the said decedent and his estate and the payment of such taxes due.

3. That the personal representative is now in the process of winding up the affairs of the estate preparatory to making final distribution and the closing of said estate, and in connection therewith, it is necessary that the fees of said personal representative and the said attorney be determined and allowed by the Court.

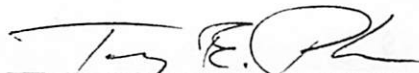
4. That the total value of the estate for the purposes of inventory is Two Hundred Thirteen Thousand Six Hundred Three and 33/100 (\$213,603.33) Dollars, that the total value of the estate for Federal Estate Tax purposes is Two Hundred Fifteen Thousand Forty-seven and 43/100 (\$215,047.43) Dollars, and that the total value of the estate for Indiana Inheritance Tax purposes is One Hundred Ninety-one Thousand Three Hundred Seventy-seven and 91/100 (\$191,377.91) Dollars.

5. That the attorney for the estate has not received any payment for his services rendered on behalf of the estate, and that a just and reasonable compensation to said attorney for his services is the sum of Twelve Thousand Nineteen and 91/100 (\$12,019.91) Dollars, for services rendered in attending to the legal, tax, and auditing aspects of this estate, and that said sum would be a full and final allowance for the above-described services, including the usual anticipated legal services required in closing said decedent's estate in accordance with the following calculation:

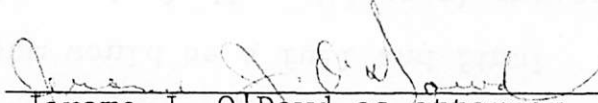
\$100,000.00 at 6%	\$ 6,000.00
100,000.00 at 4%	4,000.00
50,568.79 at 3.5%	1,769.91
<u>\$250,568.79</u> - administered value of estate	
Probate of Will and securing appointments with court, assessor, bank, clerk, etc. (1/2 day)	<u>250.00</u>
Total Fee	\$ 12,019.91

That the personal representative for the estate has not received any payment for his services rendered on behalf of the estate, and that a just and reasonable compensation to said personal representative for his services is the sum of Six Thousand Nine and 96/100 (\$6,009.96) Dollars, being one-half of the above-calculated attorney fee.

WHEREFORE, said personal representative and said attorney pray that the Court fix and determine the attorney fee in the amount of Twelve Thousand Nineteen and 91/100 (\$12,019.91) Dollars and the personal representative fee in the amount of Six Thousand Nine and 96/100 (\$6,009.96) Dollars in connection with this estate as set forth herein, and order the same to be paid as costs of administration of this estate, and for all other relief which is proper in the premises.

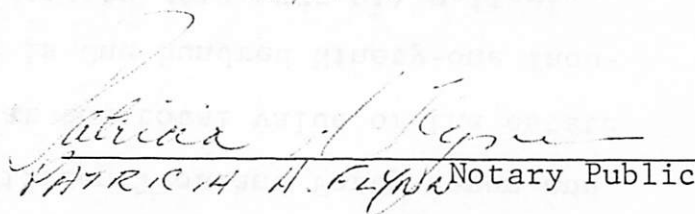


Terry E. Place as Personal
Representative of the Estate
of Rev. Msgr. Simeon M.
Schmitt, Deceased



Jerome J. O'Dowd as attorney
for the Estate of Rev. Msgr.
Simeon M. Schmitt, Deceased
400 Commerce Building
Fort Wayne, Indiana 46802
Telephone: (219) 423-3343

Sworn to and subscribed before me, a Notary Public in and for the County of Allen, State of Indiana, this 24th day of June, 1982.



PATRICIA A. FLYNN Notary Public

County of Residence: Allen

My Commission expires:

February 13, 1984

said petition for allowance of fees to personal representative and attorney is now submitted, examined and approved, which Order Allowing Fees of Personal Representative and Attorney is in the following words and figures, to wit;

STATE OF INDIANA)
) SS:
COUNTY OF ADAMS)

IN THE ADAMS CIRCUIT COURT
ESTATE NO. E-81-44

IN THE MATTER OF THE SUPERVISED)
ESTATE OF REV. MSGR. SIMEON M.)
SCHMITT, DECEASED.)

ORDER ALLOWING FEES OF PERSONAL
REPRESENTATIVE AND ATTORNEY

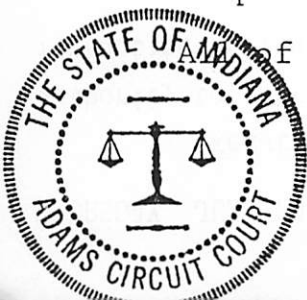
Comes now Terry E. Place, as personal representative of the estate of Rev. Msgr. Simeon M. Schmitt, Deceased, and submits his Verified Petition for Executor and Attorney Fees, which petition is in the words and figures following, to-wit:

(H. I.)

And the Court having examined said petition and being duly advised, now finds that the facts stated therein are true, and that the Court should fix and allow their fees for services performed in the administration of said estate, including the usual anticipated services required to close said estate, and that a just and reasonable fee for said services of said attorney is the sum of Twelve Thousand Nineteen and 91/100 (\$12,019.91) Dollars, and that a just and reasonable fee for said services of said personal representative is the sum of Six Thousand Nine and 96/100 (\$6,009.96) Dollars, and that said fees should be allowed and ordered paid.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that there be, and hereby is, allowed to Terry E. Place as executor for his services as personal representative of the estate of Rev. Msgr. Simeon M. Schmitt, the sum of Six Thousand Nine and 96/100 (\$6,009.96) Dollars, and to Jerome J. O'Dowd for his services as attorney for said executor the sum of Twelve Thousand Nineteen and 91/100 (\$12,019.91) Dollars, and that said personal representative be, and he hereby is, authorized to pay said amounts in final allowance for the services in closing said estate, said amounts to be paid as part of the expenses of administration of said estate.

of which is ordered this 24th day of June, 1982.



[Signature]
JUDGE, ADAMS CIRCUIT COURT

FILED IN ADAMS COUNTY
Executor's final account, petition to settle and allow account, petition for authority to distribute assets remaining, fund trust and closing estate of filed. Affidavit for notice on final settlement filed in the following words and signatures M to Schmitt

82 JUN 24 P 4:11

NANCIE KAY LINN, CLERK

No. E-81-44

STATE OF INDIANA }
COUNTY OF ALLEN } SS: ADAMS CIRCUIT COURT
ADAMS IN THE ALLEN SUPERIOR COURT

AFFIDAVIT FOR NOTICE ON FINAL SETTLEMENT

Terry E. Place being first duly sworn upon oath deposes and says:
That he is the duly appointed qualified and acting Executor
in the above entitled Estate

That the persons hereinafter named with their addresses are all the persons interested in the said Estate

Rev. Denis E. Schmitt, S.J.	REMAINDERMEN OF TRUST:
Loyola University	Clergy Relief Society
6525 N. Sheridan Rd.	Diocese of Fort Wayne-
Chicago, Illinois 60626	South Bend, Inc.
Carmelite Monastery of St. Joseph	P. O. Box 390
63 Allendale Place	Fort Wayne, IN 46801
Terre Haute, Indiana 47802	Attn: Rev. Edward Krason,
	Treasurer
Diocese of Fort Wayne-South Bend, Inc.	St. Mary's Catholic Church
P. O. Box 390	414 West Madison Street
Fort Wayne, Indiana 46801	Decatur, IN 46733
Chancellor of the Diocese of	Attn: Rev. John E. Gillig,
Fort Wayne-South Bend, Inc.	Pastor
as Trustee	
P. O. Box 390	
Fort Wayne, Indiana 46801	

Terry E. Place, Personal Representative

Subscribed and sworn to before me this 17th day of June, 1982

Patricia A. Flynn Notary Public
County of Residence: Allen

My commission expires February 13, 1984

CLERK'S CERTIFICATION

I hereby certify that I did on the 25 day of JUNE, 1982 place in the U. S. mail a Notice of Final Settlement to each of the persons named above at their address as set out.

Nancie Kay Linn
Clerk


THURSDAY, JUNE 24, 1982

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Notice ordered issued, returnable as of July 2, 1982.

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

Read and signed.



ROBERT S. ANDERSON, JUDGE ADAMS CIRCUIT COURT
