

Will of Cordelia E. Baumgartner

Name in Record	Reason for Being in Record	Date of Record
Cordelia E. Baumgartner	Makes her last will & testament	Dec. 3, 1959
Sarah L. Baumgartner	Sister; inherits balance of estate	
Bertha A. Michaud	Sister; to share estate with siblings if Sarah Baumgartner is deceased	
Elmer W. Baumgartner	Brother; to share estate with siblings if Sarah Baumgartner is deceased	
Martha L. Habegger	Sister; to share estate with siblings if Sarah Baumgartner is deceased	
Martin W. Baumgartner	Brother; to share estate with siblings if Sarah Baumgartner is deceased	
Elmer W. Baumgartner	Brother; appointed executor of will of Cordelia Baumgartner	
Howard E. Baumgartner	Nephew; appointed executor of will if Elmer Baumgartner is deceased	
Jean Kirchhofer	Witnessed Cordelia Baumgartner making her last will	
Ruth Gottschalk	Witnessed Cordelia Baumgartner making her last will	
Cordelia A. Baumgartner	Died	Dec. 28, 1960
Jean Kirchhofer	Subscribing witness; oath of death & validity of will	Jan. 6, 1961
Richard D. Lewton	Clerk	
Richard D. Lewton	Clerk; will has been admitted to probate	Jan. 6, 1961

* * * * *

#5614

LAST WILL AND TESTAMENT
OF
CORDELIA A. BAUMGARTNER

I, the undersigned, Cordelia E. Baumgartner, residing in Adams County, Indiana, and being of sound mind and disposing memory, do hereby make, publish and declare the following to be my last will and testament, hereby revoking any and all wills by me heretofore made.

ITEM ONE

I hereby direct my Executor to settle my estate as promptly as in his discretion may appear advisable in consonance with a maximum realization from the assets of my estate. In connection with such settlement, I direct my Executor to pay all my just debts, funeral expenses, and costs of administration first out of my estate.

ITEM TWO

After Item One of this will has been provided for, then it is my will and I hereby give to my sister, Sarah L. Baumgartner, all the rest of my estate, real, personal and mixed, absolutely and in fee simple.

ITEM THREE

If my sister, Sarah L. Baumgartner, shall predecease me, then it is my will and I hereby direct that after Item One of this will has been provided for, all of my property, real, personal and mixed, shall become the property of the following brothers and sisters of mine, share and share alike, absolutely and in fee simple: Bertha A. Michaud, Elmer W. Baumgartner, Martha L. Habegger, and Martin W. Baumgartner. If any of my said brothers or sisters should predecease me and have a child or children living at my death, I give the share of such deceased brother or sister to the child or children of the brother or sister of mine so deceased.

ITEM FOUR

I give to my Executor full power and authority to sell all or any part of my real estate or personal property, at public or private sale as he may deem advisable, and to execute and deliver deeds or other instruments necessary to transfer title thereto, all without the order of any court as to appraisal, notice, report, or confirmation, or any other matter related to such sales.

ITEM FIVE

I hereby appoint my brother, Elmer W. Baumgartner, as Executor of this, my last will and testament. In case of the death or inability of my said brother to serve as such Executor, I appoint my nephew, Howard E. Baumgartner, to be Executor. My Executor shall not be required to furnish bond to carry out said trust.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 3 day of December, 1959.

s/ CORDELIA E. BAUMGARTNER SEAL

Signed, sealed and acknowledged by the above testatrix, Cordelia E. Baumgartner, as her last will and testament in our presence and by each of us signed at her request and in her presence and in the presence of each other as attesting witnesses thereto the date last above mentioned.

WITNESSES

s/ JEAN KIRCHHOFER

s/ RUTH GOTTSCHALK

AFFIDAVIT OF DEATH and PROOF OF WILL and CERTIFICATE OF PROBATE
(By Subscribing Witness)

Estate No. 5614

STATE OF INDIANA, }
COUNTY OF ADAMS } SS:

IN THE ADAMS CIRCUIT COURT

RE ESTATE OF }
CORDELIA E. BAUMGARTNER }
Deceased }

Docket _____ Page _____

AFFIDAVIT OF DEATH

Jean Kirchofer, being duly sworn, on oath says that Cordelia E. Baumgartner died on or about the 28th day of December, 1960 and at the time of such death was a resident of such county and state.

s/ JEAN KIRCHHOFER
Jean Kirchofer

Subscribed and sworn to before me this 6th day of January, 1961.

(SEAL)

s/ RICHARD D. LEWTON Clerk
Richard D. Lewton

PROOF OF WILL (By Subscribing Witness)

Jean Kirchofer, being duly sworn by the undersigned Clerk of the Circuit Court of Adams County, Indiana, on oath says:

- Affiant is one of the subscribing witnesses to the foregoing written instrument dated December 3, 1959, purporting to be the LAST WILL AND TESTAMENT OF CORDELIA E. BAUMGARTNER (hereinafter called the "decedent").
- Such instrument was on the date thereof duly executed, published and declared by such decedent to be the Last Will and Testament of such decedent.
- At such time, such decedent was the full age of twenty-one years, of sound and disposing mind and memory, under no coercion, compulsion or restraint, and competent to devise her property.

4. Such decedent signified that such instrument was her Last Will and Testament, and duly executed same, in the presence of the subscribing witnesses thereto, namely, the affiant and Ruth Gottschalk.

5. In the presence of such decedent and in the presence of each other, each of subscribing witnesses attested and signed the same as witnesses thereto.

s/ JEAN KIRCHHOFFER
Jean Kirchhofer

Subscribed and sworn to before me, in witness of which, I hereunto affix the seal of such Court, and subscribe my name at Decatur, Indiana, this 6th day of January, 1961.

(SEAL)

s/ RICHARD D. LEWTON Clerk
Richard D. Lewton

STATE OF INDIANA, COUNTY OF ADAMS, SS:

CERTIFICATE OF PROBATE

I, Clerk of the Circuit Court of Adams County, Indiana, do hereby certify that: (1) the foregoing Will and Testament of Cordelia E. Baumgartner, deceased, has been duly admitted to probate before the Adams Circuit Court; (2) the same was proved by the examination under oath of Jean Kirchhofer, one of the subscribing witnesses thereto; (3) such will has been recorded in Will Record N page 221 in the Will Records of such County; and (4) a full and complete record of such will and of the proof and examination of the witness by whom the same was proved and of the Order of Probate relating thereto has been made and is now of record in the records of the Clerk of such county pertaining to such Court.

In TESTIMONY WHEREOF, I have hereunto affixed the seal of such Court, and subscribed my name at Decatur, Indiana, this 6 day of January, 1961.

(SEAL)

s/ RICHARD D. LEWTON
Richard D. Lewton, Clerk