

In the Matter of the Estate of)
Clarence E. Seyller, Deceased.)

No. 36,413

DECREE OF SETTLEMENT OF FINAL ACCOUNT AND
DISTRIBUTION AND DETERMINATION OF HEIRSHIP.

The First National Bank of Guthrie, Oklahoma, and Arthur M. Green, Co-Executors of the Last Will and Testament and of the Estate of Clarence E. Seyller, deceased, having on the 3rd day of June, A. D., 1957, rendered and presented for final settlement and filed in this Court their final account and report of their administration as such Co-Executors, and praying for an order of distribution of the estate remaining in their hands to the parties lawfully entitled thereto and that they be discharged as such Co-Executors.

And now on this 25th day of June, 1957, it being a day of a regular Term, to-wit, of the January Term, 1957, of this Court, said final account coming on regularly to be heard, and it appearing to the satisfaction of the Court that due notice of the settlement of said account at this time, was given, as required by law and the order of this Court, and no exceptions or objections in writing to said account have been made or filed herein, and no one appearing to contest the same, and the Court having fully examined said account and the vouchers, and heard and duly considered all the evidence adduced in support thereof, and it appearing to the satisfaction of the Court that said account contains a full and correct report and statement of all claims presented and allowed against said estate and of all the moneys received and disbursed by said Co-Executors from the date of appointment to the 31st day of May, 1957. And, said Co-Executors having filed herein their supplemental account from the date of the final account to this 25th day of June, 1957, and the Court having fully examined the same and heard and duly considered the evidence in support thereof. The Court finds, adjudges and decrees that said account and said supplemental account of said Co-Executors should be, and they are hereby allowed, approved and settled.

That in accordance with said Final Account and said Supplemental Account, there remains on hand with said Co-Executors, the following:

Balance in Reserve Account, - - - - - \$ 1,157.60
And in addition thereto, the remaining cash balance
on hand is - - - - - \$ 11,931.88.

That said account and said supplemental account are entitled to be allowed and approved.

It is therefore ordered, adjudged and decreed by the Court that said account and supplemental account be, and the same are hereby allowed, approved and settled.

I, Troy Cole, County Clerk in and for Logan County, State of Oklahoma, do here by certify that the foregoing is a full and true copy of such an instrument of record in my office. Witness my hand and official seal this
day of June, 1957
Troy Cole, County Clerk
By Wanda J. Jager Deputy

I, DALE SMITH, Court Clerk for Oklahoma County, Okla., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the County Court Clerk's Office of Oklahoma County, Okla., this
day of June, 1957
By DALE SMITH Court Clerk
Wanda J. Jager Deputy

And it further appearing to the satisfaction of the Court that all claims and debts against said decedent and said estate, and all taxes of said decedent and of said estate, and all debts, expenses and charges of administration have been duly paid and discharged, and that said estate is ready for distribution and determination of heirship and in condition to be closed.

That said First National Bank of Guthrie, Oklahoma, and Arthur M. Green, as such Co-Executors, have honestly and faithfully performed, according to law, the duties of the trust as such Co-Executors, and are entitled to be discharged, and to have the surety on the official bond of said Arthur M. Green released and discharged from further liability thereon, after making proper distribution of said estate remaining in their hands.

It is therefore further ordered, adjudged and decreed by the Court, that said First National Bank of Guthrie, Oklahoma, and Arthur M. Green, as such Co-Executors, proceed as soon as practicable, and without delay, to make distribution of said estate remaining in their hands to the parties lawfully entitled thereto.

The Court further finds, adjudges and decrees that said Clarence E. Seyller died, testate, a resident of Oklahoma County, Oklahoma, on the 18th day of December, 1935.

The Court further finds, adjudges and decrees that the said Clarence E. Seyller left surviving him as his sole and only heir at law, his sister, Ruby M. Steinfeldt.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, under and by virtue of his last Will and Testament, left surviving him the following sole and only devisees and legatees: said Ruby M. Steinfeldt, his sister; Opal Oliver, his niece; Richard Oliver, his grand nephew; Norman Oliver, his grand nephew; Bennie Harman, unrelated; Leonard Ricker, unrelated; Jennie Rudy, unrelated; Gertrude James, unrelated; Arthur M. Green, unrelated; Earnest G. Stitzel, unrelated; Raymond Kinaman, unrelated; and Cora Weller, unrelated. That there were no other devisees or legatees or heirs at law of said Clarence E. Seyller, deceased, whatsoever. That the said Opal Oliver is a daughter of Ruby M. Steinfeldt, and said Richard Oliver and Norman Oliver are sons of the said Opal Oliver.

The Court further finds, adjudges and decrees that the last Will and Testament of said Clarence E. Seyller, deceased, is dated November 14, 1935, and a Codicil thereto is dated November 15, 1935, and that said last Will and Testament and said Codicil thereto constitute the last Will and Testament of said Clarence E. Seyller, deceased, and were admitted to probate as the last Will and Testament of said Clarence E. Seyller, deceased, on the 5th day of January, 1936, and that the order admitting the same to probate is still in full force and effect.

The Court further finds, adjudges and decrees that under and by virtue of the last Will and Testament of said Clarence E. Seyller, deceased, there was bequeathed to, and the Court should, and the Court does hereby decree to said Arthur M. Green, the 1935 Cadillac owned by the decedent at the time of his death.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described property situated in the County of Kingfisher, State of Oklahoma, to-wit:

An undivided 7/12th interest in and to the Northeast Quarter (NE/4) of Section Twenty-six (26), Township Fifteen (15) North, Range Six (6) West of the I. M.

The Court further finds, adjudges and decrees that under and by virtue of the last Will and Testament of said deceased, said undivided 7/12th interest in and to the Northeast Quarter (NE/4) of Section Twenty-six (26), Township Fifteen (15) North, Range Six (6) West of the I. M. was devised to, and should be, and the same is hereby by the Court decreed to said Ruby M. Steinfeldt.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described property situated in the County of Logan, State of Oklahoma, to-wit:

An undivided 7/12ths interest in and to what is commonly known as the surface rights and also an undivided 1/3rd interest in and to the mineral rights in and to the South Half (S/2) of the Southwest Quarter (SW/4) of Section Nine (9), Township Fifteen (15) North, Range Four (4) West of the I. M.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, said undivided 7/12ths interest in and to what is commonly known as the surface rights and also an undivided 1/3rd interest in and to the mineral rights in and to the South Half (S/2) of the Southwest Quarter (SW/4) of Section Nine (9), Township Fifteen (15) North, Range Four (4) West of the I. M., was devised to, and should be, and the same is hereby by the Court decreed to said Opal Oliver.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described property situated in the County of Logan, State of Oklahoma, to-wit:

An undivided 7/12ths interest in and to the Southwest Quarter (SW/4) of Section Seventeen (17), Township Eighteen (18) North, Range Two (2) West of the I. M.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, said undivided 7/12ths interest in and to the Southwest Quarter (SW/4) of Section Seventeen (17), Township Eighteen (18) North, Range Two (2) West of the I. M., was devised to, and should be, and the same is hereby by the Court decreed to said Richard Oliver and Norman Oliver, share and share alike, each one-half (1/2) thereof.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described property situated in the County of Kingfisher, State of Oklahoma, to-wit:

The South Half (S/2) of the Northeast Quarter (NE/4) and Lots One (1) and Two (2), of Section Four (4), Township Fifteen (15) North, Range Five (5) West of the I. M.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, said South Half (S/2) of the Northeast Quarter (NE/4) and Lots One (1) and Two (2), of Section Four (4), Township Fifteen (15) North, Range Five (5) West of the I. M., was devised to, and should be, and the same is hereby by the Court decreed to said Cora Weller.

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The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described property situated in the County of Logan, State of Oklahoma, to-wit:

The West Half (W/2) of the Northwest Quarter (NW/4) of Section Twenty-three (23), Township Fifteen (15) North, Range Four (4) West of the I. M.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, said West Half (W/2) of the Northwest Quarter (NW/4) of Section Twenty-three (23), Township Fifteen (15) North, Range Four (4) West of the I. M., was devised to, and should be, and the same is hereby by the Court decreed to said Bonnie Hurman.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described property situated in the County of Logan, State of Oklahoma, to-wit:

The Southeast Quarter (SE/4) of Section Twelve (12), Township Fifteen (15) North, Range Four (4) West of the I. M., excepting therefrom an undivided 7/8ths interest in the oil, gas and other minerals in and under and that may be produced from said property, as appears of record.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, said Southeast Quarter (SE/4) of Section Twelve (12), Township Fifteen (15) North, Range Four (4) West of the I. M., excepting therefrom an undivided 7/8ths interest in the oil, gas and other minerals in and under and that may be produced from said property, as appears of record, was devised to, and should be, and the same is hereby by the Court decreed to said Arthur M. Green.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described property situated in the County of Logan, State of Oklahoma, to-wit:

An undivided 1/80th interest in and to all of the oil, gas and other minerals in and under and that may be produced from the West Half (W/2) of the Northeast Quarter (NE/4) of Section Twenty-nine (29), Township Fifteen (15) North, Range Four (4) West of the I. M., for a term of fifteen Years from November 27, 1944, and as long thereafter as oil or gas or other minerals may or can be produced from said property.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, said undivided 1/80th interest in and to all of the oil, gas and other minerals in and under and that may be produced from the West Half (W/2) of the Northeast Quarter (NE/4) of Section Twenty-nine (29), Township Fifteen (15) North, Range Four (4) West of the I. M., for a term of fifteen years from November 27, 1944, and as long thereafter as oil or gas or other minerals may or can be produced from said property, was devised to, and should be, and the same is hereby by the Court decreed to said Earnest G. Stitzel.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described property situated in the County of Kingfisher, State of Oklahoma, to-wit:

An undivided 1/8th interest in and to all of the oil, gas and other minerals in and under and that may be produced from the North Half (N/2) of the Northeast Quarter (NE/4) of Section Twelve (12), Township Sixteen (16) North, Range Five (5) West of the I. M.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, said undivided 1/8th interest in and to all of the oil, gas and other minerals in and under and that may be produced from the North Half (N/2) of the Northeast Quarter (NE/4) of Section Twelve (12), Township Sixteen (16) North, Range Five (5) West of the I. M., was devised to, and should be, and the same is hereby by the Court decreed to said Earnest G. Stitzel.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described property situated in the County of Oklahoma, State of Oklahoma, to-wit:

An undivided 25/160ths interest in and to all of the oil, gas and other minerals in and under and that may be produced from the Southwest Quarter (SW/4) of Section Three (3), Township Fourteen (14) North, Range Four (4) West of the I. M.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, said undivided 25/160ths interest in and to all of the oil, gas and other minerals in and under and that may be produced from the Southwest Quarter (SW/4) of Section Three (3), Township Fourteen (14) North, Range Four (4) West of the I. M., was devised to, and should be, and the Court hereby decrees the same to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-third (1/3rd) thereof;
To said Raymond Kinaman, one-third (1/3rd) thereof;
To said Bessie Harman, one-third (1/3rd) thereof.

The Court further finds, adjudges and decrees that said Clarence E. Seyller, at the time of his death, was the owner of the following described

property situated in the County of Logan, State of Oklahoma, to-wit:

An undivided 7/12ths interest in and to the West Half (W/2) of the Southwest Quarter (SW/4) of Section Twenty-eight (28), Township Fifteen (15) North, Range Four (4) West of the I. M.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, said undivided 7/12ths interest in and to the West Half (W/2) of the Southwest Quarter (SW/4) of Section Twenty-eight (28), Township Fifteen (15) North, Range Four (4) West of the I. M., was devised to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-third (1/3rd) thereof;
To said Raymond Kinaman, one-third (1/3rd) thereof;
To said Bennie Harman, one-third (1/3rd) thereof.

However, the said Raymond Kinaman did enter into a contract of sale with the said Arthur M. Green, whereby said Raymond Kinaman did agree to convey said property to said Arthur M. Green, and therefore, the Court should, and the Court does hereby decree said undivided 7/12ths interest in and to the West Half (W/2) of the Southwest Quarter (SW/4) of Section Twenty-eight (28), Township Fifteen (15) North, Range Four (4) West of the I. M., to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-third (1/3rd) thereof;
To said Raymond Kinaman, one-third (1/3rd) thereof, subject to the provisions of the contract of sale dated February 18, 1936, between said Raymond Kinaman and said Arthur M. Green;
To said Bennie Harman, one-third (1/3rd) thereof.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased, all of the rest, residue and remainder of the estate of said Clarence E. Seyller, deceased, was devised and bequeathed to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-half (1/2) thereof;
To said Raymond Kinaman, one-fourth (1/4th) thereof;
To said Bennie Harman, one-fourth (1/4th) thereof.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said deceased and the residuary clause thereof, the following described real property situated in the County of Oklahoma, State of Oklahoma, to-wit:

Lots Twenty-three (23) and Twenty-four (24) in Block Two (2), Town of Britton, Oklahoma, as shown by the recorded plat thereof,

was devised to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-half (1/2) thereof;
To said Raymond Kinaman, one-fourth (1/4th) thereof;
To said Bennie Harman, one-fourth (1/4th) thereof.

However, the said Raymond Kinaman did enter into a contract of sale with the said Arthur M. Green, whereby said Raymond Kinaman did agree to convey said property to said Arthur M. Green, and therefore, the Court should, and the Court does hereby decree said Lots Twenty-three (23) and Twenty-four (24) in Block Two (2), Town of Britton, Oklahoma, as shown by the recorded plat thereof, to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-half (1/2) thereof;
To said Raymond Kinaman, one-fourth (1/4th) thereof, subject to the provisions of the contract of sale dated February 18, 1936, between said Raymond Kinaman and said Arthur M. Green;
To said Bennie Harman, one-fourth (1/4th) thereof.

The Court further finds, adjudges and decrees that under and by virtue of the residuary clause of the Last Will and Testament of said deceased,

there was devised to, and the Court should, and the Court does hereby decree all of the following described real property, to-wit:

Lot Four (4) in Block Nine (9), in the Town of Navina, Oklahoma, according to the recorded plat thereof, Logan County, Oklahoma;
and also

An undivided 1/2 interest in and to all of the oil, gas and other minerals in and under and that may be produced from Lots Three (3) and Four (4) and the West Half (W/2) of the Southeast Quarter (SE/4) of Section Eleven (11), Township Seventeen (17) North, Range Twenty-two (22) West of the I. M.; and also Lot One (1) and the West Half (W/2) of the Northeast Quarter (NE/4) and the Southeast Quarter (SE/4) of the Northwest Quarter (NW/4), and the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4) of Section Fourteen (14), Township Seventeen (17) North, Range Twenty-two (22) West of the I. M., for a term of fifteen years from the 9th day of July, 1943, and so long thereafter as oil or gas or other minerals is, or can be, produced from said property, Ellis County, Oklahoma;

and also

An undivided 1/2 interest in and to all of the oil, gas and other minerals in and under and that may be produced from the South Half (S/2) and the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section Fifteen (15), and the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) and the Northeast Quarter (NE/4) and the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of Section Twenty-two (22), all in Township Seventeen (17) North, Range Twenty-two (22) West of the I. M., containing 600 acres, more or less, according to the Government Survey thereof, for a term of fifteen years from the 1st day of December, 1943, and as long thereafter as oil or gas or other minerals are or can be produced from said property, or any part thereof, Ellis County, Oklahoma,

to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-half (1/2) thereof;
To said Raymond Kinaman, one-fourth (1/4th) thereof;
To said Bonnie Harman, one-fourth (1/4th) thereof.

The Court further finds, adjudges and decrees that under and by virtue of the residuary clause of the Last Will and Testament of said deceased, there was bequeathed to, and the Court should, and the Court does hereby decree all of the following described personal property, to-wit:

Household goods and personal effects;

and also

Six Shares of Farmers Exchange of Cashion, Oklahoma, evidenced by Certificates #334, #193, #474, #669;

and also

Promissory Note, dated December 17, 1952, in the principal sum of \$100.00, signed by Earl Mowery;

and also

Promissory Note, dated December 20, 1949, in the principal sum of \$50.00, signed by F. F. Harris and Lillie A. Camell;

and also

Promissory Note, dated November 29, 1944, in the principal sum of \$200.00, signed by George W. Hatfield;

and also

Promissory Note, dated September 21, 1944, in the principal sum of \$20.00, signed by F. D. Pulliam;

and also

Promissory Note, dated August 7, 1944, in the principal sum of \$20.00, signed by F. D. Pulliam;

and also

Promissory Note, dated May 31, 1938, in the principal sum of \$15.00, signed by R. E. Walls,

to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-half (1/2) thereof;
 To said Raymond Kinaman, one-fourth (1/4th) thereof;
 To said Bonnie Harman, one-fourth (1/4th) thereof.

The Court further finds, adjudges and decrees that under and by virtue of the Last Will and Testament of said Clarence E. Seyller, deceased, the cash balance remaining in said estate, constituting a part of the rest, residue and remainder of the estate, was bequeathed to, and should be, and the same is hereby by the Court decreed to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-half (1/2) thereof;
 To said Raymond Kinaman, one-fourth (1/4th) thereof;
 To said Bonnie Harman, one-fourth (1/4th) thereof,

however, the said Arthur M. Green did heretofore assign to Francis Gooden and Vera Belle Ehly, d/b/a, Josiah Gooden & Son, the sum of \$2,500.00 of the monies which he is entitled to receive in said estate, and therefore, \$2,500.00 of the money that said Arthur M. Green is entitled to receive in said estate should be paid by said Co-Executors to said Francis Gooden and Vera Belle Ehly, d/b/a, Josiah Gooden & Son.

The Court further finds, adjudges and decrees that if any other property be hereafter discovered, belonging to said Clarence E. Seyller, deceased, at the time of his death, either personal or real, that under and by virtue of the Last Will and Testament of said deceased, the same was devised and bequeathed to, and should be, and the same is hereby by the Court decreed to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-half (1/2) thereof;
 To said Raymond Kinaman, one-fourth (1/4th) thereof;
 To said Bonnie Harman, one-fourth (1/4th) thereof.

The Court further finds, adjudges and decrees that the balance of any amount held in reserve by said Co-Executors, as reflected in the account and supplemental account of such Co-Executors, should be, after discharging the obligations for which such reserves were set up, and after discharging all other obligations and expenses of said estate, distributed to the following parties, in the following proportions, to-wit:

To said Arthur M. Green, one-half (1/2) thereof;
 To said Raymond Kinaman, one-fourth (1/4th) thereof;
 To said Bonnie Harman, one-fourth (1/4th) thereof.

That upon making such distribution and taking and filing in this Court proper vouchers showing such distribution, that the administration of said estate be deemed closed, and said First National Bank of Guthrie, Oklahoma, and Arthur M. Green, as such Co-Executors, be discharged, and the surety on the official bond of said Arthur M. Green discharged from all further liability thereon.

(SEAL)

Tom A. Berry
 County Judge.

STATE OF OKLAHOMA,) SS
 LINCOLN COUNTY)
 This instrument was filed for record on
 35 JUN 26 1957
 at 11:35 a.m. and duly recorded
 in Book 370 page 556 Fee \$ 5.80
 G. E. HANNAN, County Clerk
 By *G. E. Hannan* Deputy