

4. No claim was filed against said estate. All expenses in connection with the funeral and last illness of John H. Poehler, deceased, have been paid in full by Minna Poehler, executrix, personally from funds held in survivorship between the said executrix and the said deceased, and she has voluntarily waived any right for reimbursement for same and said Minna Poehler has waived her executrix fees in this estate. Court costs, including publication fees and the attorney fees in this estate have been paid in full by the heirs personally on a pro rata basis. In accordance with the last will of said deceased, the balance on hand in the sum of \$85.00 should be assigned to the executrix.

5. John H. Poehler died testate on the 15th day of October, 1952, being at that time 95 years of age and being at that time a citizen and resident of Hall County, Nebraska and possessing property in said county and state, and he left surviving him as his sole and only heirs-at-law and the sole and only beneficiaries named in his will, the following who are all of legal age, namely:

Minna Poehler, his widow, of Hall County, Nebraska;
Richard Paul Poehler, his son, of Grand Island, Nebraska;
Anna Werner, a daughter, of Grand Island, Nebraska;
Lena Werner, a daughter, of Merrick County, Nebraska;

and that the said deceased left no other living children, or living issue of any deceased child or children.

6. At the time of his death, the said John H. Poehler was seized and possessed by fee simple title absolute of the following described real estate to-wit:

- (1) The East Half (E $\frac{1}{2}$) of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Seventeen (17), in Township Twelve (12), North, Range Nine (9), West of the 6th P.M., in Hall County, Nebraska, consisting of 20 acres;
- (2) The Southwest Quarter (SW $\frac{1}{4}$) of Section Eight (8), in Township Twelve (12), North, Range Nine (9), West of the 6th P.M., in Hall County, Nebraska, except 8 acres in the Southwest corner of said Southwest Quarter, formerly occupied by a church and school, consisting of 152 acres;