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FILED
MARION COUNTY, KS
02 MAY 29 PM 12:05
CLERK OF DISTRICT COURT

IN THE DISTRICT COURT OF MARION COUNTY, KANSAS

In the Matter of the Estate of)
FLORIAN J. VINDUSKA, Deceased.) CASE NO. 02 PR 24
PURSUANT TO K.S.A. CHAPTER 59)

DECREE OF DESCENT

Now, on this 24th day of May, 2002, is heard the Petition to Determine Descent in the estate of Florian J. Vinduska, deceased.

Petitioner, David F. Vinduska, appears in person and by his attorney, Tim R. Karstetter, of Karstetter & Klenda, L.L.C. There are no other appearances.

After consideration of the files and the evidence produced, the Court finds as follows:

1. Reasonable diligence has been exercised in search for identity and addresses of heirs.
2. Notice of this hearing has been given as required by law and the order of this Court and the proof thereof has been filed and is hereby approved.
3. All allegations of the Petition are true.
4. The decedent, a resident of Marion County, Kansas, and a citizen of the United States, died on October 15, 2001, and more than six months have expired since death.

5. The provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, have been complied with insofar as applicable to this proceeding.

6. No will of decedent has been admitted to probate, no will filed pursuant to K.S.A. 59-618a, nor administration had of the estate.

7. The names, ages, relationships, residences and addresses of the heirs of decedent, as far as known or can with reasonable diligence be ascertained, are:

<u>Name</u>	<u>Age</u>	<u>Relationship</u>	<u>Address</u>
David F. Vinduska	Adult	Son	924 North High Newton, KS 67114
Dorothy M. Perkins	Adult	Daughter	1574 E. 117th Carbondale, KS 66414
Jane A. Niederwerder	Adult	Daughter	1421 E. Ellsworth Salina, KS 67401
Barbara E. Horejsi	Adult	Daughter	302 W. Lockwood Wichita, KS 67217

8. The decedent had no spouse or children, issue of deceased children or other heirs who survived the decedent, other than the persons named above.

9. At the time of death, the decedent owned the following described real property:

Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-two (32),
Township Eighteen (18) South, Range Four (4) East of
the 6th P.M., Marion County, Kansas;

and personal property as follows:

Pilsen State Bank Checking Account #2001160
Farm Machinery & Equipment.

10. There are no taxes imposed by the United States or by the State of Kansas by reason of the decedent's death.

11. The Kansas property of the decedent, subject to any lawful disposition previously made, should be assigned and distributed under the laws of intestate succession as follows:

<u>Name</u>	<u>Proportion</u>
David F. Vinduska	one-fourth
Dorothy M. Perkins	one-fourth
Jane A. Niederwerder	one-fourth
Barbara E. Horejsi	one-fourth

IT IS THEREFORE ORDERED BY THE COURT that:

A. The above findings are hereby made a part of the Order and Decree of this Court.

B. The title to all of the interest of the decedent, in and to the above described property and all other property owned by the decedent, descended on the date of death, descended from the decedent to decedent's heirs at law pursuant to the laws of intestate succession in the following proportion:

<u>Name</u>	<u>Proportion</u>
David F. Vinduska	one-fourth
Dorothy M. Perkins	one-fourth
Jane A. Niederwerder	one-fourth
Barbara E. Horejsi	one-fourth

and the title thereto is assigned to the heirs as of the date of death, subject to any lawful disposition heretofore made.

IT IS BY THE COURT SO ORDERED.



JUDGE

APPROVED:

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