

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF

Jeffrey Earl Smith,

Deceased.

Case No. _____

Judge:

**PETITION TO ADMINISTER ESTATE, APPOINTMENT OF
PERSONAL REPRESENTATIVE, AND FOR DETERMINATION OF
IDENTITY OF HEIRS-AT-LAW**

COMES NOW Shawna L. Looker, and respectfully represents to this Court as follows:

Jeffrey Earl Smith, departed this life on or about May 17, 2010, and decedent was a resident of Nicoma Park, Oklahoma, Oklahoma County, at the time of his death. ***58 OS §5 Venue***

Jeffrey Earl Smith left an estate consisting of real and personal property in Oklahoma County, State of Oklahoma, the general character and description of which will be set forth in the General Inventory and Appraisalment of Estate. The estate, less real property, is believed to have a value of \$155,000.00. ***58 OS §23 Requisites for Petition 58 OS §171 et seq Bonds 58 OS §281 et seq Inventory***

Due search and inquiry has been made to ascertain if decedent left a Will, and according to the best information and belief of Petitioner, no will was left by the decedent. ***58 OS §24 Production of the Will may be compelled by the Court***

Your Petitioner, Shawna L. Looker, is entitled to be appointed Personal Representative of this Estate. ***58 OS §104 Objections***

Shawna L. Looker for whom Letters of Administration are herein prayed, is a resident of Oklahoma County, State of Oklahoma, with the post office address of 1705 Nathaniel Drive, Midwest City, Oklahoma 73115. **58 OS §162 Appointment of Agent for non-resident PR**

The name, relationship to the decedent, age, and address of the heirs-at-law of the decedent are as follows:

<u>Name</u>	<u>Age</u>	<u>Address</u>
Shawna L. Looker (Daughter)	Legal Age	1705 Nathaniel Drive Midwest City, OK 73115
Brenda L. Richard (Daughter)	Legal Age	9415 NE 34th Street Spencer, OK 73084
Jeffrey Earl Smith II (Son)	Legal Age	2000 S COBRA Rd Yukon, OK 73099

(84 OS §213 Intestacy - Descent and Distribution)

The above named persons are the only heirs-at-law. **58 OS §240 Determination of heirs**

Your Petitioner is interested in the estate as Personal Representative as daughter and heir-at-law. **58 OS §122 Persons Entitled to Letters**

WHEREFORE, Petitioner prays that a date be fixed for hearing this Petition, notice thereof be given as required by law, and, upon the hearing hereof, that an Order to Administer the Estate be issued, that Letters of Administration issue thereon to Shawna L. Looker as Personal Representative of the estate, and that the Court determine the heirs-at-law of decedent.

Shawna L. Looker
Petitioner

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

Shawna L. Looker, of lawful age, being first duly sworn, on oath states: That she has read the above and foregoing pleading, and is familiar with the contents thereof, and that the statements and allegations therein contained are true and correct to the best of her knowledge.

Shawna L. Looker
Personal Representative

12 OS §426 (Notary may no longer be important here)

Subscribed and sworn to before me on the ____ day of _____, 2010, by Shawna L. Looker.

Notary Public

My commission expires:

My commission number is:

Prepared by:

Terrell Monks, OBA #17474
Law Offices of Terrell Monks
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
Terrell@Lawyer.com

Attorney for Personal Representative

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF
Jeffrey Earl Smith,
Deceased.

Case No. _____
Judge:

**ORDER FOR HEARING PETITION TO ADMINISTER ESTATE,
APPOINTMENT OF PERSONAL REPRESENTATIVE, AND FOR
DETERMINATION OF IDENTITY OF HEIRS-AT-LAW**

Shawna L. Looker has filed in this Court a Petition alleging that Jeffrey Earl Smith has died intestate. The decedent left property within the jurisdiction of this Court, and petitioner prays for Administration of the Estate, for appointment of Shawna L. Looker as the Personal Representative of the estate, and for the Court to determine the identity of the heirs-at-law of the decedent, Jeffrey Earl Smith.

IT IS ORDERED that the Petition be, and hereby is, set for hearing on the ____ day of _____, 2010, at the hour of _____ o'clock __.M., and that notice thereof be given by mail to all heirs-at-law of the decedent, and if the name or address of any heir is unknown, by one (1) publication in a legal newspaper published in Oklahoma County. Such mailing and publication to be not less than ten (10) days prior to the date of the hearing.

Dated this ____ day of _____, 2010.

Judge of the District Court

By _____
Deputy Court Clerk

Terrell Monks, OBA #17474
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
(405) 212-4403
Terrell@Lawyer.com
Attorney for Personal Representative

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF
Jeffrey Earl Smith,
Deceased.

Case No. _____
Judge:

58 OS §28 NOTICE

**NOTICE FOR HEARING PETITION TO ADMINISTER ESTATE,
APPOINTMENT OF PERSONAL REPRESENTATIVE, AND FOR
DETERMINATION OF IDENTITY OF HEIRS-AT-LAW**

NOTICE IS HEREBY GIVEN to all persons interested in the estate of Jeffrey Earl Smith, Deceased, that on the ____ day of _____, 2010, Shawna L. Looker produced in the District Court of Oklahoma County, State of Oklahoma, a Petition for the administration of the Estate of Jeffrey Earl Smith, Deceased, asking that Letters of Administration be issued to Shawna L. Looker upon the estate of Jeffrey Earl Smith, Deceased, and requesting this Court determine the identity of all the heirs-at-law of the decedent.

NOTICE IS ALSO GIVEN that the ____ day of _____, 2010, at the hour of _____ o'clock ____M., of that day, has been appointed as the time for hearing the Petition in Courtroom ____ of the District Court, Probate Division, in the County Courthouse, in the County of Oklahoma, Oklahoma, when and where all persons interested may appear and contest the same by filing written opposition thereto on the ground of incompetency of the applicant, or may assert their own rights to the administration and pray the Letters be issued to them.

DATED this ____ day of _____, 2010.

Judge of the District Court

By _____
Deputy Court Clerk

Terrell Monks, OBA #17474
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
(405) 212-4403
Terrell@Lawyer.com
Attorney for Personal Representative
58 OS §28 Notice
58 OS §26 Mailing Notice

Publication instructions: One (1) time no less than 10 days prior to hearing date.

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF

Jeffrey Earl Smith,

Deceased.

Case No. _____

Judge:

AFFIDAVIT OF MAILING

STATE OF OKLAHOMA)

) ss.

COUNTY OF OKLAHOMA)

I, Terrell Monks, of lawful age, being first duly sworn, on oath say:

That I am the attorney for the Estate of Jeffrey Earl Smith, deceased, and that on the _____ day of _____, 2010, I mailed and deposited in the United States Post Office, with first class postage prepaid thereon, correct and true copies of the *Notice for Hearing Petition to Administer Estate, Appointment of Personal Representative, and for Determination of Identity of Heirs-At-Law*, in the above entitled cause to the following heirs-at-law of decedent:

Name	Age	Address
Shawna L. Looker (Daughter)	Legal Age	1705 Nathaniel Drive Midwest City, OK 73115
Brenda L. Richard (Daughter)	Legal Age	9415 NE 34th Street Spencer, OK 73084
Jeffrey Earl Smith II (Son)	Legal Age	2000 S COBRA Rd Yukon, OK 73099

WITNESS my hand this ____ day of _____, 2010.

Law Offices of Terrell Monks

Terrell Monks, OBA #17474
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
(405) 212-4403

Attorney for Petitioner

12 OS §426 (Notary may no longer be important here)

58 OS §26 Mailing Notice

Subscribed and sworn to before me on the ____ day of _____, 2010, by
Terrell Monks.

Notary Public

My commission expires:

My commission number is:

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF

Jeffrey Earl Smith,

Deceased.

Case No. _____

Judge: _____

**ORDER TO ADMINISTER ESTATE,
APPOINTMENT OF PERSONAL REPRESENTATIVE
AND DETERMINATION OF IDENTITY OF HEIRS-AT-LAW**

Now on this ____ day of _____, 2010, there comes on for hearing the Petition of Shawna L. Looker, praying to administer the estate, for the appointment of Shawna L. Looker as Personal Representative of the estate of Jeffrey Earl Smith, and for a determination of the heirs-at-law of the deceased. Petitioner appears in person and by her attorney, Terrell Monks. The Court, after having heard evidence, finds that Jeffrey Earl Smith departed this life on May 17, 2010, intestate, with a no Will being found, being a resident of Oklahoma County, and having a portion of his estate in Oklahoma County, Oklahoma. The Court further finds that notice of this hearing was given by mailing copies of the notice of this hearing to the heirs-at-law of the deceased, not less than ten (10) days prior to this date. **58 OS §26 Mailing Notice**

The Court further finds that the Estate should be administered by this Court, Letters of Administration be issued to Personal Representative and the heirs be determined. The Court further finds that Shawna L. Looker is appointed herein to serve as Personal Representative and is entitled to be appointed Personal Representative of this estate.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Estate shall be administered by this Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Shawna L. Looker be, and hereby is, appointed Personal Representative of the estate of Jeffrey Earl Smith, Deceased, and that Letters of Administration issue to Shawna L. Looker, upon her taking and subscribing the oath of office as required by law and that pursuant to 58 O.S. Section 171 bond is hereby waived.**58 OS §171 Necessity and waiving of bond**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following persons are the only heirs-at-law of Jeffrey Earl Smith, Deceased: **58 OS §240 Determination of heirs**

<u>Name</u>	<u>Age</u>	<u>Address</u>
Shawna L. Looker (Daughter)	Legal Age	1705 Nathaniel Drive Midwest City, OK 73115
Brenda L. Richard (Daughter)	Legal Age	9415 NE 34th Street Spencer, OK 73084
Jeffrey Earl Smith II (Son)	Legal Age	2000 S COBRA Rd Yukon, OK 73099

Judge of the District Court

Terrell Monks, OBA #17474
Law Offices of Terrell Monks
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
(405) 212-4403
Terrell@Lawyer.com
Attorney for Personal Representative

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF

Jeffrey Earl Smith,

Deceased.

Case No. _____

Judge:

LETTERS OF ADMINISTRATION

STATE OF OKLAHOMA)

) ss.

COUNTY OF OKLAHOMA)

Shawna L. Looker is hereby appointed Personal Representative of the estate of Jeffrey Earl Smith, Deceased.

WITNESS, the undersigned Judge of the District Court of Oklahoma County, Oklahoma, this ____ day of _____, 2010.

Judge of the District Court

OATH

STATE OF OKLAHOMA)

) ss.

COUNTY OF OKLAHOMA)

I, Shawna L. Looker, do solemnly swear that I will perform according to law, and to the best of my ability, the duties of Personal Representative of the estate of Jeffrey Earl Smith, Deceased, so help me, God.

Shawna L. Looker
Petitioner

Signed and sworn to before me this _____ day of _____, 2010 by Shawna L. Looker.

Judge of the District Court

Terrell Monks, OBA #17474
Law Offices of Terrell Monks
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
(405) 212-4403
Terrell@Lawyer.com
Attorney for Personal Representative

Inventory and Appraisement 58 OS §281 et seq

Due within 2 months of appointment but time may be extended for good cause

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF
Jeffrey Earl Smith,

Deceased.

Case No.: PB-10-603

Judge: Bill Welch

NOTICE TO CREDITORS

All persons having claims against Jeffrey Earl Smith, Deceased, are required to present the same with a description of all security interests and other collateral, if any, held by each creditor with respect to such claim, to the named Personal Representative at:

c/o Terrell Monks
1840 S. Douglas Blvd
Midwest City, OK 73130

58 OS §331 et seq Notice to creditors

on or before the following presentment date: _____, or the same will be non-suited, void and forever barred.

Dated this ____ day of _____, 2010.

Shawna L. Looker, Personal Representative
By Terrell Monks

Terrell Monks, OBA #17474
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
Terrell@Lawyer.com
Attorney for Personal Representative

58 OS §32 Publishing Notice

Publication instructions: Two (2) consecutive weeks, at least six (6) days apart, with first (1st) publication no later than 10 days after Notice is filed.

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF

Jeffrey Earl Smith,
Deceased.

Case No.: PB-10-603

Judge: Bill Welch

AFFIDAVIT OF MAILING TO CREDITORS

I, Terrell Monks Attorney for Shawna L. Looker, Personal Representative of the Estate of Jeffrey Earl Smith, Deceased, being of lawful age, being first duly sworn, on oath state that on the ____ day of _____, 2010, mailed by first class United States mails, with proper postage duly prepaid, in the County of Oklahoma, State of Oklahoma, true and correct copies of the *Notice to Creditors* enclosed in an addressed, stamped envelope, to the following known creditor(s) of the decedent:

Name of Creditor

Bank of America Corporate Center

Address

100 N Tryon St
Charlotte, NC 28255

Citibank Customer Service

PO Box 6500
Sioux Falls, SD 57117

Lowes Capital One

General Correspondence
PO Box 30285
Salt Lake City, UT 84130

whose identities and last known address were determined through my reasonably diligent efforts by conducting a search among the personal effects, papers, and records of the decedent, which named creditors are all of the actually known and reasonably ascertainable creditors of the decedent as of the ____ day of _____, 2010, being the date the *Notice to Creditors* was filed.

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF

Jeffrey Earl Smith,

Deceased.

Case No. PB-10-603

Judge: Bill Welch

**PETITION TO SELL REAL PROPERTY
PURSUANT TO 58 O.S. Section 239**

By this Petition, Shawna L. Looker, as the Personal Representative of the Estate of Jeffrey Earl Smith, states:

That decedent owned certain real property at the time of his death. The heirs wish to have this Court authorize the sale of any or all of said real property of the Estate pursuant to 58 O.S. Section 239, which allows the sale of real property without further confirmation by this Court. The consent of every necessary party is filed in this case or attached hereto.

That the name, age, and address of the heirs, so far as known to Petitioner, are as follows:

<u>Name</u>	<u>Age</u>	<u>Address</u>
Shawna L. Looker (Daughter)	Legal Age	1705 Nathaniel Drive Midwest City, OK 73115
Brenda L. Richard (Daughter)	Legal Age	9415 NE 34th Street Spencer, OK 73084
Jeffrey Earl Smith II (Son)	Legal Age	2000 S COBRA Rd Yukon, OK 73099

WHEREFORE, this Personal Representative ask for an order authorizing the sale of all or such part of the real property of this Estate without further confirmation of this Court in accordance with 58 O.S. Section 239.

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF
Jeffrey Earl Smith,

Deceased.

Case No. PB-10-603
Judge: Bill Welch

**ORDER ALLOWING SALE OF REAL PROPERTY
PURSUANT TO 58 O.S. Section 239**

This matter coming on for hearing upon the Petition of Shawna L. Looker, for an order authorizing the sale of all or part of the real property of the Estate of Jeffrey Earl Smith pursuant to 58 O.S. Section 239 without further confirmation of this Court, it appearing to the Court that all statutory notices have been given, and that no one appears to contest the Petition, and that after a full hearing in the matter, the Court finds that the sale of real property belonging to this Estate pursuant to 58 O.S. Section 239 is proper.

It is therefore ordered that the Personal Representative of this Estate is authorized to sell all or part of the real property of this Estate as she shall judge most beneficial to the Estate without further confirmation of this Court pursuant to 58 O.S. Section 239.

Dated the ____ day of _____, 2010.

Judge of the District Court

Terrell Monks, OBA #17474
Law Offices of Terrell Monks
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
Attorney for Personal Representative
Terrell@Lawyer.com

DEED OF PERSONAL REPRESENTATIVE

This indenture, made the ____ day of _____, 2010, by and between Shawna L. Looker, the duly appointed, qualified and acting Personal Representative of the Estate of Jeffrey Earl Smith, Deceased, party of the first part, and _____ party of the second part, witnesseth:

Whereas, the District Court, in Case number PB-10-633, entered an *Order Allowing Sale of Real Property Pursuant to 58 O.S. 239* allowing the sale of any or all real property of the estate pursuant to 58 O. S. Section 239, and no confirmation of the sale is required by the party of the first part, and which the *Order Allowing Sale of Real Property Pursuant to 58 O.S. 239* is filed with the District Court and is hereby referred to and made a part of this indenture.

Now, therefore, Shawna L. Looker, Personal Representative of the Estate of Jeffrey Earl Smith, Deceased, as aforesaid, the party of the first part, pursuant to the *Order Allowing Sale of Real property Pursuant to 58 O.S. 239* of the District Court, for and in consideration of the sum of \$_____, paid by party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, sell and convey unto the party of the second part, the party of the second part's heirs and assigns forever, all the right, title, interest and Estate of Jeffrey Earl Smith, Deceased, at the time of decedent's death, and also all the right, title, and interest that the Estate, by operation of law or otherwise, may have acquired, other than, or in addition to, that of the Estate, at the time of decedent's death in and to all the certain land situate, lying and being in:

State: Oklahoma
County: Oklahoma

A tract described as beginning at the southwest corner of the southeast quarter of the southwest quarter (SE/4 SW/4) of section twenty-two (22), township thirteen (13) north, range two (2) east of the Indian Meridian, Oklahoma County, State of Oklahoma, thence north feet; thence south 00 degrees 40' 20" east 492.48 feet; thence south 00 degrees 05' 59" west 1342.29 feet; thence north 88 degrees 50' 14" west 491.04 feet to the point of beginning

together with the tenements, hereditaments and appurtenances to the same belonging or any wise appertaining.

To have and to hold, all and singular, the above-described premises, together with the appurtenances, unto said party of the second part, the party of the second part's heirs and assigns forever.

In witness whereof, the party of the first part, Personal Representative as aforesaid, has hereunto set her hand on the day and year first above written.

Shawna L. Looker
Personal Representative

STATE OF OKLAHOMA

)

) ss.

COUNTY OF OKLAHOMA

)

Be it known, that on this _____ day of _____, 2010, personally appeared before me, within and for this County and State, Shawna L. Looker, who is known to me to be the persons whose name is subscribed to the within and foregoing instrument as the Personal Representative, of the Estate of Jeffrey Earl Smith, Deceased, and acknowledged to me that, as the Personal Representative of the Estate of Jeffrey Earl Smith, Deceased, she executed the same freely and voluntarily for the uses and purposes herein set forth.

In witness whereof, I have hereunto set my hand and affixed my official seal at my office, in Oklahoma County, State of Oklahoma, the day and year in this indenture last above written.

Notary Public

My commission expires:

My commission number is:

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

58 OS §541 Waiver of Final Account

IN THE MATTER OF THE ESTATE OF

Jeffrey Earl Smith,

Deceased.

Case No. _____

Judge:

58 OS §621 et seq Distribution and Settlement

**FINAL ACCOUNT, PETITION FOR ORDER
ALLOWING FINAL ACCOUNT AND
FINAL DECREE OF DISTRIBUTION**

COMES NOW Shawna L. Looker, the duly appointed, qualified and acting Personal Representative of the Estate of Jeffrey Earl Smith, Deceased, and as Personal Representative of the Estate, by virtue of Letters Testamentary issued to the Personal Representative in this matter, alleges and states:

1. *Notice to Creditors* of the Estate to present claims has been given according to law and as appears more fully from the Affidavit of Mailing and the Proof of Publication of the Notice to Creditors on file herein. All claims which have been presented and allowed have been paid. *(Or: Bob Smith made a Claim. That claim was rejected by the Personal Representative. The time allowed to bring suit on that rejected claim in accord with 58 OS §339 has now passed and that claim is now barred by operation of statute...)*

2. The Personal Representative filed herein a General Inventory and Appraisal of Estate. Attached hereto, and by specific reference made a part hereof, is a schedule showing all changes to the inventory.

3. Attached hereto, and by specific reference made a part hereof, is a schedule showing all receipts and disbursements made by the Personal Representative. *58 OS §541 Waiver of Final Account*

4. Attached hereto, and by specific reference made a part hereof, is a schedule showing all assets ready for distribution.

5. The Court should judicially determine the date of death of the decedent as being May 17, 2010.

6. The Personal Representative requests the statutory fee in the amount of \$_____. *58 OS §527 Fee*

7. All lawful debts of the Estate have been paid. All expenses of the administration of the Estate have been paid in full except for miscellaneous filing fees, court costs, and expenses incident to the distribution and closing of the Estate.

8. This Court should enter its order approving and allowing a reasonable attorney's fee to Terrell Monks for legal services rendered to the Personal Representative and to the Estate and for reimbursement of costs advanced in the sum of \$_____. An itemized statement of time and services is attached hereto.

9. This Court should enter its order authorizing and directing the Personal Representative to pay all miscellaneous filing fees, court costs and expenses incident to the distribution and closing of the Estate.

10. An Oklahoma Estate Tax Return was filed, no taxes were due, and an *Order Exempting Estate from Payments of Estate and Inheritance Taxes* issued by the Oklahoma Tax Commission is filed herein.

11. Due to the gross value of the Estate, no Federal Estate Tax Return was required to be filed by the Personal Representative.

12. There are no *ad valorem* or other taxes due and unpaid. All state, county, school and municipal taxes legally levied upon personal property in the Estate of the Decedent have been paid in full.

13. This Court should enter its order distributing all the rest, residue and remainder of the Estate, wheresoever situated and whether inventoried or not, to the persons entitled thereto pursuant to the statutes of the State of Oklahoma and more specifically stated in the exhibit B attached hereto.

WHEREFORE, the Personal Representative prays that this Court:

1. Settle, allow, approve and confirm the Final Account of the Personal Representative as hereinabove set forth;
2. Decree and determine the death of the decedent to have been on May 17, 2010;
3. Decree and determine the heirs-at-law of the decedent to be as follows:

<u>Name</u>	<u>Age</u>	<u>Address</u>
Shawna L. Looker (Daughter)	Legal Age	1705 Nathaniel Drive Midwest City, OK 73115
Brenda L. Richard (Daughter)	Legal Age	9415 NE 34th Street Spencer, OK 73084
Jeffrey Earl Smith II (Son)	Legal Age	2000 S COBRA Rd 2306 Yukon, OK 73099

4. Enter its order approving and allowing a reasonable attorney's fee to Terrell Monks for legal services rendered to the Personal Representative and to the Estate and for reimbursement of costs advanced;

5. Enter its order approving and allowing the Personal Representative the statutory fee in the amount of _____. ***58 OS §527 Fee of PR***

6. Enter its order authorizing and directing the Personal Representative to pay all miscellaneous filing fees, court costs, and expenses incident to the distribution and closing of the Estate;

7. Enter its order finding and determining that an Oklahoma Estate Tax Return was filed, no tax was due, and that an *Order Exempting Estate from Payments of Estate and Inheritance Taxes* was issued by the Oklahoma Tax Commission and is filed herein.

8. Enter its order finding and determining that due to the gross value of the Estate, no Federal Estate Tax Return was required to be filed by the Personal Representative.

9. Enter its order finding and determining that there are no *ad valorem* or other taxes due and unpaid; that all state, county, school and municipal taxes legally levied upon personal property in the Estate and of the decedent have been paid in full;

10. Enter its order distributing all of the rest, residue and remainder of the Estate, wheresoever situated and whether inventoried or not, to the persons entitled thereto pursuant to the statutes of the State of Oklahoma and as described on the exhibits hereto;

11. Enter its order discharging the Personal Representative from all further duties herein upon distribution and upon the final payment of final attorney fees, all miscellaneous filing fees, court costs, expenses and the payments and distributions herein provided for, and upon the filing of the receipts from the heirs; (***Some attorneys do not enter an Order Discharging the PR***)

SCHEDULE - SHOWING CHANGES IN INVENTORY

PERSONAL PROPERTY:

ITEM	CHANGE

REAL PROPERTY:

LEGAL DESCRIPTION	CHANGE
State: County: State: Oklahoma County: Oklahoma See exhibit A attached	SOLD IN ACCORD WITH PRIOR ORDER OF THE COURT

MONEY BELONGING TO DECEASED AT TIME OF DEATH:

Number	Description	Change
--------	-------------	--------

BONDS, MORTGAGES, NOTES, AND ACCOUNTS

BY WHOM OWING	DATE	WHEN DUE	AMOUNT	CHANGE
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SCHEDULE SHOWING ALL RECEIPTS AND DISBURSEMENTS

Receipts (income):

(Need income items listed)

Disbursements (expenses):

(Need expenses paid)

SCHEDULE - ASSETS READY FOR DISTRIBUTION

PERSONAL PROPERTY:

ITEM	TO BE DISTRIBUTED TO:
	<i>84 OS §213 INTESTACY - DESCENT AND DISTRIBUTION</i>

REAL PROPERTY:

PREVIOUSLY SOLD	

MONEY BELONGING TO DECEASED AT TIME OF DEATH:

Number Description TO BE DISTRIBUTED TO:

BONDS, MORTGAGES, NOTES, AND ACCOUNTS

BY WHOM OWING: DATE: WHEN DUE: DISTRIBUTE TO:

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF
Jeffrey Earl Smith,
Deceased.

Case No. _____
Judge:

**ORDER FIXING TIME FOR HEARING
PETITION FOR ORDER, ALLOWING FINAL ACCOUNT; DETERMINATION OF
HEIRSHIP; AND FINAL DECREE OF DISTRIBUTION**

Shawna L. Looker, Personal Representative of the Estate of Jeffrey Earl Smith, Deceased, has filed in this Court a Petition for distribution of the estate. The hearing of the same is hereby fixed by the Court for the ____ day of _____, 2011, at _____ o'clock __.M., at the County courthouse in Oklahoma County. Notice by publication shall be given to all persons interested in the estate to then be settled and allowed and the estate distributed to the heirs thereof.

IT IS FURTHER ORDERED that copies of the notice of this hearing be mailed to the heirs whose addresses are known with postage thereon prepaid, at least ten (10) days before the date of the hearing.

WITNESS my hand this ____ day of _____, 2011.

Judge of the District Court

Terrell Monks, OBA #17474
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
(405) 212-4403
Terrell@Lawyer.com
Attorney for Personal Representative

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

IN THE MATTER OF THE ESTATE OF
Jeffrey Earl Smith,
Deceased.

Case No. _____
Judge:

**NOTICE OF HEARING PETITION FOR ORDER
ALLOWING FINAL ACCOUNT; DETERMINATION OF HEIRSHIP; AND
FINAL DECREE OF DISTRIBUTION**

Notice is hereby given that Shawna L. Looker, Personal Representative of the Estate of Jeffrey Earl Smith, Deceased, has filed in this Court the Petition for distribution of the estate. The hearing of the same has been fixed by the Court for the ____ day of _____, 2011, at _____ o'clock ____M., at the County Courthouse of Oklahoma County, and all persons interested in the estate are notified to appear and show cause, if any, why the heirs of Jeffrey Earl Smith, deceased, should not be fully determined and the estate be distributed.

WITNESS my hand this ____ day of _____, 2011.

Judge of the District Court

Terrell Monks, OBA #17474
Law Offices of Terrell Monks
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
(405) 212-4403
Terrell@Lawyer.com
Attorney for Personal Representative

Publication instructions: Two (2) consecutive weeks prior to hearing.

Jeffrey Earl Smith II
(Son)

Legal Age 2000 S COBRA Rd
2306
Yukon, OK 73099

WITNESS my hand this _____ day of _____, 2011.

Law Offices of Terrell Monks

Terrell Monks, OBA #17474
1840 S. Douglas Blvd
Midwest City, OK 73130
(405) 733-8686
(405) 212-4403
Terrell@Lawyer.com
Attorney for Personal Representative

12 OS §426 (Notary may no longer be important here)

Subscribed and sworn to before me on the _____ day of _____, 2011, by
Terrell Monks.

Notary Public

My commission expires:

My commission number is:

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE ESTATE OF

Jeffrey Earl Smith,

Deceased.

Case No. _____

Judge:

ORDER
ALLOWING FINAL ACCOUNT; DETERMINING HEIRSHIP; AND
FINAL DECREE OF DISTRIBUTION

NOW on this ____ day of _____, 2011, the *Petition for Order Allowing Final Account; Determination of Heirship; And Final Decree of Distribution* of the duly appointed, qualified and acting Personal Representative of the estate of the above-named decedent, came on for hearing and no one appeared to oppose such pleading. The Court finds that due and lawful notice of this hearing has been given for the time and in the manner provided by law, and the Court proceeded to hear the evidence and therefore does **FIND, ORDER, ADJUDGE AND DECREE** as follows:

12. That the court conducted a judicial inquiry and determined that the Personal Representative made diligent efforts to determine the identities, last-known addresses and claims of the Decedent's creditors and gave notice to creditors, all as required by law; that the Court specifically determined that the *Notice to Creditors* as required by Title 58 Sections 243, 331-331.2 and 632.3 of the Oklahoma Statutes was given by the Personal Representative, including notice by mail to all creditors, if any, known to the Personal Representative as of the date the *Notice to Creditors* was filed herein with the District Court Clerk for Oklahoma County, the County in which

this Probate of Will is pending, at their respective last-known addresses, as evidenced by the Personal Representative's *Affidavit of Mailing Notice to Creditors* of Decedent pursuant to Title 58 OS Section 332, and including notice by publication, as evidenced by the Affidavit of the Publisher of the _____ indicating the publication of the *Notice to Creditors* on _____, and _____, both of which Affidavits heretofore were filed in this cause; that all claims not filed within the time permitted for the presentation of claims, being on or before the presentment date of _____, as set forth in the *Notice to Creditors*, are non-suited, void and forever barred, except as otherwise provided in Title 58 of the Oklahoma Statutes, (or any claim for which payment has been heretofore or is approved hereinafter in this decree pursuant to Section 335 of Title 58 of the Oklahoma Statutes).

13. That the Personal Representative filed herein a General Inventory and Appraisal of Estate and attached hereto, and by specific reference made a part hereof, is a schedule showing all changes to the inventory.

14. That attached hereto, and by specific reference made a part hereof, is a Final Account showing all receipts and disbursements made by the Personal Representative and the Final Account is hereby approved and confirmed.

15. That attached hereto, and by specific reference made a part hereof, is a schedule showing all assets ready for distribution.

16. That Jeffrey Earl Smith departed this life intestate on May 17, 2010; that the decedent was a resident of Oklahoma County, Oklahoma, at the time of death, and Jeffrey Earl Smith was survived by the following heirs-at-law who is the sole and only heirs-at-law of decedent:

<u>Name</u>	<u>Age</u>	<u>Address</u>
Shawna L. Looker (Daughter)	Legal Age	1705 Nathaniel Drive Midwest City, OK 73115
Brenda L. Richard (Daughter)	Legal Age	9415 NE 34th Street Spencer, OK 73084
Jeffrey Earl Smith II (Son)	Legal Age	2000 S COBRA Rd 2306 Yukon, OK 73099

and was not survived by any other child nor any other child of a deceased child; and pursuant to the laws of descent and distribution, all of the property owned by the decedent at the time of death should be and is hereby distributed to the heirs as follows: **84 OS §213 Intestacy -**

Descent and Distribution

<u>Name/Relationship/Address</u>	<u>Distribution Proportion</u>
Shawna L. Looker (Daughter) 1705 Nathaniel Drive Midwest City, OK 73115	1/3
Brenda L. Richard (Daughter) 9415 NE 34th Street Spencer, OK 73084	1/3
Jeffrey Earl Smith II (Son) 2000 S COBRA Rd 2306 Yukon, OK 73099	1/3

17. That the fees of the Personal Representative are \$_____ and the Court approves the fee of the Personal Representative. **58 OS §527 Fee of PR**

18. That the Personal Representative is authorized and directed to pay all miscellaneous filing fees, court costs and expenses incident to the distribution and closing of the Estate.

19. That Terrell Monks is allowed a reasonable attorney's fee for legal services rendered to the Personal Representative and the Estate, and reimbursement for costs advanced and the Personal Representative and Terrell Monks have agreed to the amount of the fee. ***58 OS §710 Court may appoint an attorney***

20. That an Oklahoma Estate Tax Return was filed, no taxes were due, and an *Order Exempting Estate from Payments of Estate and Inheritance Taxes* issued by the Oklahoma Tax Commission is filed herein.

21. That due to the gross value of the Estate, no Federal Estate Tax Return was required to be filed by the Personal Representative.

22. That no *ad valorem* taxes are due. That all state, county, school and municipal taxes, together with all state and federal income taxes, if any, have been paid.

23. That if decedent died seized and possessed of any other real or personal property, not inventoried and appraised in this estate or not herein referred to, then all right, title and interest in and to the property should be and is hereby distributed pursuant to the statutes of the State of Oklahoma and more specifically in the manner stated in the list above.

Judge of the District Court

Terrell Monks, OBA #17474
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