

No. 176

13

PROBATE COURT

HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE OF
Ethan
~~ELINATHAN~~ STONE, DECEASED

CURRENT ACCOUNT

14-
6.85
1.20
2.00

ENTERED

FEB 22 1952

Nieman, Frey, Jacobs, Schultze
and Siemon, Attys.

PROBATE COURT

HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE)

OF)

ELNATHAN STONE, DECEASED)

No. 176

CURRENT ACCOUNT

RECEIPTS

1949

Nov.	4	Cash on hand per last account	\$276.80
Dec.	26	Taken from Poor Fund acct.	60.00
<u>1950</u>			
Feb.	17	Rent rec'd Clement Peters	7.50
Mar.	17	Rent rec'd Josie Stull	5.00
	20	Rent rec'd Cincinnati Cap.	6.25
	20	Rent rec'd Gallagher, Cap.	1.50
	20	Rent rec'd Kuerze, Cap.	7.19
	20	Rent rec'd Maley	1.50
	20	Rent rec'd Maley	2.50
	20	Rent rec'd Ronnebaum	15.00
	20	Rent rec'd Fischer	2.50
	20	Rent rec'd Fischer	2.16
	28	Rent rec'd Henry H. Hess	60.00
Apr.	19	Rent rec'd Agnes Sedler	5.00
	21	Rent rec'd Thelma Blasing	10.00
	21	Rent rec'd Arthur G. Wern	10.00
	21	Rent rec'd Nelson Weichold	18.00
	21	Rent rec'd Nelson Weichold	13.12
	21	Rent rec'd Henrietta Budd	26.00
	21	Rent rec'd Alice Bolington	3.00
	24	Rent rec'd B. & O. R. R. Co.	422.75
	24	Rent rec'd Fred Schmidt Estate	11.25
	24	Rent rec'd Robert C. Doyle	3.00
	25	Rent rec'd Frank J. Pudenz	13.00
	25	Rent rec'd Alma E. Flade	1.75
	25	Rent rec'd Gest Savings & Loan Co.	4.50
	26	Rent rec'd J. L. Peters	30.00
	27	Rent rec'd Chas. Frederick	5.00
	27	Rent rec'd John Farrell	6.00
	27	Rent rec'd John Farrell	2.00
	27	Rent rec'd John Farrell	4.00
	27	Rent rec'd Bertha Rymer	1.50
	27	Rent rec'd C.C. Smith (4/7)	6.00
	28	Rent rec'd John A. Gaff	6.50
	28	Rent rec'd Mrs. Hazel Fisher	6.50
	28	Rent rec'd Ray A. Luers	10.00
	28	RENT REcd Mabel Stevens	1.25
May	1	Rent rec'd Richard Schwier	5.00
	1	Int. on Poor Fund Acct.	1.60
	2	RENT rec'd Sun Oil Co.	22.50
	2	Rent rec'd Sun Oil Co.	7.50
	5	Rent rec'd Anna M. Young	8.25
	8	Rent rec'd C. W. Bonnafel	6.00
	8	Rent rec'd Mrs. Helen Bloom	12.50
	9	Rent rec'd Mrs. Lora Piper	17.00
	11	Rent rec'd Chas. Menninger	7.00
	11	Rent rec'd Theresa Drexler	13.00
	12	Rent rec'd Daisy Henderson	5.00
	12	Rent rec'd Dora Holoran	5.00

Amount carried forward

\$1178.37 ✓

		Amount carried forward	\$1178.37
May	12	Rent rec'd Namon & L. Kiser	.50
	17	Rent rec'd Irvin J. Hamant	3.00
	18	Rent rec'd Walter Miller	20.00
	29	Rent rec'd Alma Moral	3.30
June	1	Rent rec'd Wm. F. Holtge	13.50
	2	Rent rec'd Frank Wilsbach	5.50
	5	Rent rec'd Raymond T. Howe	5.00
	30	Rent rec'd Jacob Riddle	8.00
	30	Rent rec'd J. C. Mears	4.25
	30	Rent rec'd Henry H. Hess	10.00
July	3	Rent rec'd Stephen Monar	2.25
	6	Rent rec'd Margaret Hallbauer	2.50
	7	Rent rec'd Frank & G. Kittle	22.00
	7	Rent rec'd Robert A. Cline	10.00
Sept.	8	Rent rec'd Violet Puryear	4.50
	18	Rent rec'd Frad & Lil Crider	3.00
	27	Rent rec'd Robt. A. Hallforth	25.00
Oct.	2	Rent rec'd Cap. Cincinnati, Ohio	6.25
	2	Rent rec'd Gallagher	1.50
	2	Rent rec'd Kuerze	7.19
	2	Rent rec'd Maley	1.50
	2	Rent rec'd Ronnebaum	15.00
	2	rent rec'd Maley	2.50
	2	Rent rec'd Fischer	2.50
	2	Rent rec'd Fischer	2.16
	20	Rent rec'd Herman Blest	15.00
Nov.	2	Rent rec'd John Younger	12.50
	2	Int. on Poor Fund Acct.	1.61
Dec.	28	Taken from Poor Fund Account	60.00
1951			
Mar.	29	Rent rec'd Cap. Cincinnati, Ohio	6.25
	29	Rent rec'd Cap. Kuerze	7.19
	29	Rent rec'd Cap. Gallagher	1.50
	29	Rent rec'd Cap. Maley	1.50
	29	Rent rec'd Cap. Maley	2.50
	29	Rent rec'd Ronnebaum	15.00
	29	Rent rec'd Fischer	2.50
	29	Rent rec'd Fischer	2.16
Apr.	2	Rent rec'd Robert Doyle	3.00
	6	Rent rec'd Josie Stull	5.00
	6	Rent rec'd Clemens Peters	7.50
	23	Rent rec'd Nelson Weichold	18.00
	23	Rent rec'd Nelson Weichold	13.12
	23	Rent rec'd Daisy Hendrick'n	5.00
	24	Rent rec'd Chas. Menninger	7.00
	24	Rent rec'd Lora & Grace Pip	17.00
	24	Rent rec'd Fred'k Schmidt	11.25
	25	Rent rec'd Arthur G. Wern	10.00
	26	Rent rec'd J. L. Peters	30.00
	27	Rent rec'd Chas. Frederick	5.00
	27	Rent rec'd Bertha Rymer	1.50
	27	Rent rec'd Ray A. Luers	10.00
	27	Rent rec'd C. C. Smith	6.00
	27	Rent rec'd Alice Bolington	3.00
	30	Rent rec'd Baltimore & Ohio R.R. Co.	422.75
	30	Rent rec'd Raymond T. Howe	5.00
May	1	Rent rec'd Henrietta Budd	26.00
	1	Rent rec'd Sun Oil Company	22.50
		Amount carried forward	\$2115.60 ✓

		Amount carried forward	\$2115.60
May	1	Sun Oil Company	7.50
	1	Rent rec'd Mrs. Hazel Fisher	6.50
	2	Rent rec'd Alma E. Flade	1.75
	2	Int. on Poor Fund Acct.	1.61
	2	Rent rec'd Richard Schwier	5.00
	3	Rent rec'd Thelma Blasing	10.00
	3	Rent rec'd Mrs. Helen Bloom	12.50
	4	Rent rec'd C. W. Bonnafel	6.98
	4	Rent rec'd Alma Morrell	1.25
	4	Rent rec'd Mabel Stevens	1.25
	10	Rent rec'd Frank J. Pudenz	13.00
	14	Rent rec'd Leafy Kiser	.50
	23	Rent rec'd Walter Miller	10.00
	23	Rent rec'd Walter Miller	10.00
	24	Rent rec'd Gest Savings & Loan Co	4.50
	28	Rent rec'd Wm. F. Hoeltge	13.50
	29	Int. Cabinet B. & L. acct.	.90
June	1	Rent Rec'd Thr. Drexler	13.00
	4	Rent rec'd Anna Young	8.25
	8	Rent rec'd M. Hallbauer	2.50
	18	Rent Frank Crider	3.00
	18	Rent rec'd Henry H. Hess	60.00
	22	Rent rec'd Rich Puryear	4.50
	22	Rent rec'd Frank Wilzbach	5.50
	26	Rent rec'd Walter J. Riddle	8.00
	29	Rent rec'd agnes Sedler	5.00
July	5	Rent rec'd Robert Hallforth	25.00
	25	Rent rec'd James C. Mears	4.25
	30	Rent rec'd Mrs. Dora Holoran	5.00
Aug.	10	Rent P. H. Morton Estate	10.00
	14	Rent rec'd Harry Miller	1.25
	14	Rent rec'd John A. Gaff	6.50
	16	Rent rec'd Herman Biest	15.00
	24	Rent rec'd Irvin J. Hamant	3.00
	31	Rent rec'd John Younger	12.50
Sept.	6	Rent rec'd Henry H. Hess	10.00
	20	U.S. bonds called & paid	1200.00
	20	Rent Cap. Cincinnati, Ohio	6.25
	20	Rent Cap. Kuerze	7.18
	20	Rent Cap. Gallagher	1.50
	20	Rent Cap. Maley	1.50
	20	Rent Cap. Maley	2.50
	20	Rent Cap. Ronnebaum	15.00
	20	Rent Cap. Fischer	2.50
	20	Rent Cap. Fischer	2.14
	20	Rent rec'd Stephen Monar	2.25
	20	Rent rec'd Stephen Monar	6.00
	20	Rent rec'd Stephen Monar	2.00
	20	Rent rec'd Stephen Monar	4.00
Nov.	1	Int. on Poor Fund Acct.	1.62
	5	Int. on Cabinet Bldg. & Loan acct.	5.25
		Total Receipts	\$3685.35

DISBURSEMENTS

<u>1949</u>					
Dec.	28	Paid Hess grocery (Xmas)	1	\$60.00	✓
Nov.	16	Paid City Aud. Ministerial Acct.	2	40.00	✓
<u>1950</u>					
Oct.	20	Paid Cinti. Orphan Asylum	3	100.00	✓
	20	Paid Widow & Old Men's Home	4	60.00	✓
	20	Paid State Ave. M. E. Church	5	350.00	✓
	20	Paid Ministerial Fund	6	40.00	✓
	20	Transferred to Cabinet B. & T. Co. Poor Fund	7	58.00	✓
Nov.	21	Amt. transferred to Cabinet Loan & Bldg. Co. (distribution unearned by St. Martin's School	8.	350.00	✓
Dec.	28	Paid Hemsath Grocery	9.	60.00	✓
<u>1951</u>					
Sept.	24	Purchased U.S. Treasury \$1,000, 2½% '67/72 bond	10.	987.50	✓
	24	Purchased U.S. Treasury 2½% '62/67 bond	11.	200.00	✓
	24	Paid accrued int. on Treas. bond '67/72	12.	6.97	✓
	24	Paid accrued int. on Treas. bond '62/67	13.	1.39	✓
Oct.	18	Paid Cinti. Orphan Asylum	14.	100.00	✓
	18	Paid Widows & Old Men's Home	15.	60.00	✓
	18	Paid State Ave. M. E. Church	16.	350.00	✓
	18	Paid City Aud. (Minis. Fund)	17.	40.00	✓
	18	Amt. trans. to Cabinet Bldg. & T. Co. savings acct.	18.	58.00	✓
	18	Paid St. Martin's Church	19.	350.00	✓
Total Disbursements				\$3271.86	✓

RECAPITULATION

Total Receipts	\$3685.35	✓
Total Disbursements	3271.86	✓
Cash on hand	\$413.49	✓

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

Frank M. Tatman, being first duly sworn, says that he is
Trust Officer of the Cincinnati Bank & Trust Company, Trustee herein, and
that the foregoing Current Account is true as he verily believes.

Frank M. Tatman
Frank M. Tatman, Trust Officer,
Cincinnati Bank & Trust Company

Sworn to Before me and subscribed in my presence this 26
Day of February, 1952.

Eric T. Schulze
Eric T. Schulze, Notary Public,
Hamilton County, Ohio.

noted

No. 176

PROBATE COURT
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF ETHAN STONE, DECEASED

O R D E R

ENTER

Charles M. Davies

PROBATE JUDGE

ENTERED

JUL 17 1953

MIN. VOL. 647

PAGE 76

RLX

PROBATE COURT
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE

OF

No

176

ETHAN STONE, Deceased

O R D E R

The Application of The Fifth Third Union Trust Com-
pany Trustee under the will of Ethan Stone, deceased, for allow-
ance of compensation, this day being filed, came on for hearing
and was submitted to the Court, on consideration whereof the
Court allows said Trustee as fees, the sum of \$108 65 for all
services rendered through April 30, 1953

No. 176

PROBATE COURT
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF ETHAN STONE, DECEASED

APPLICATION OF THE FIFTH THIRD
UNION TRUST COMPANY FOR
ALLOWANCE OF COMPENSATION

FILED

JUL 17 1953

CHASE M. DAVIES
PROBATE JUDGE & EX-OFFICIO CLERK
by *Carroll*
DEPUTY CLERK

PROBATE COURT
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE :

OF :

No. 176

ETHAN STONE, Deceased :

APPLICATION OF THE FIFTH THIRD UNION TRUST
COMPANY FOR ALLOWANCE OF COMPENSATION

The Fifth Third Union Trust Company, Successor Trustee under the will of Ethan Stone, deceased, respectfully presents to the Court that it is the duly appointed, qualified and acting Trustee of said estate; that said Trustee has rendered services herein necessary for the best interest of the Estate of said decedent, for which it asks the Court to allow it the sum of \$108.65. This figure is arrived at on the following basis:

Commission at 6% on income of \$1196.96 through April 30, 1953	71.82
Fee on principal on the basis of \$1.50 per thousand at valuation on April 30, 1953, of \$24,556.45	<u>36.83</u>
	\$108.65

WHEREFORE, your applicant prays the Court to allow it the sum of \$108.65 in full of all services rendered through April 30, 1953.

THE FIFTH THIRD UNION TRUST COMPANY

By John E. Goyert

Trust Officer

STATE OF OHIO, HAMILTON COUNTY, SS:

JOHN E. GOYERT, being first duly sworn, says that he is Trust Officer of The Fifth Third Union Trust Company, Successor Trustee of the Estate of Ethan Stone, deceased, and that the facts stated in the above application are true as he verily believes.

Sworn to before me and subscribed in my presence this 17 day of July, 1953.

John W. Wampler
Notary Public

PROBATE COURT

HAMILTON COUNTY, OHIO

NO.

176

IN THE MATTER OF THE
ESTATE OF ETHAN STONE,
DECEASED

ENTER

Chas M. Daries

PROBATE JUDGE

ENTRY AUTHORIZING SALE
OF GROUND RENT

ENTERED

AUG 26 1953

MIN. VOL.

648

PG

147

PK

PROBATE COURT
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF ETHAN STONE, Deceased.

No. 176

ENTRY AUTHORIZING SALE OF GROUND RENT

This day this cause came on to be heard on the Application of The Fifth Third Union Trust Company, Trustee of the Estate of Ethan Stone, Deceased, for an order authorizing the sale of ground rent, and upon the affidavits of three disinterested land owners and residents of Hamilton County, Ohio, filed in support of said sale. The property covered by the ground rent is described as follows:

Situate in Section 29, Town 4, Fractional Range 1, Storrs Township, Cincinnati, Ohio, beginning at a point in the East line of Maryland Avenue (formerly Price Hill Road), 50.24 feet south of the North line of Section 29 of Storrs Township, measured along said East line of said Maryland Avenue; thence Eastwardly on a line parallel to the North line of Section 29, South 88° 57' East 70.85 feet to a point; thence South at right angles, South 1° 3' West 25 feet to a point; thence westwardly parallel to said section line, North 88° 57' West 68.40 feet to the Easterly line of Maryland Avenue; thence North 4° 33' West 25.12 feet to the place of beginning.

On consideration whereof, the Court being fully advised finds that the ground rent reserved to the Estate of Ethan Stone amounts to \$10.00 per annum payable on the first day of May in each and every year, Lessee to pay in addition all taxes, charges and assessments levied against said premises; and that the leasehold is a perpetual leasehold without privilege of purchase and is now owned by A. G. Wern, subject to said ground rent.

The Court further finds that the offer made by said A. G. Wern of \$ 445.00 net for the interest of the Trustee in and to said premises, based upon a capitalized value of the ground rent at .0225 % is the full value of the Trustee's interest in said premises; the best price that can be obtained and more than can be realized at private sale to any other purchaser, that a sale

would be for the benefit and to the advantage of the estate and of all persons in interest in the trust created under the Will of Ethan Stone, Deceased, and now in the custody of The Fifth Third Union Trust Company, Trustee as aforesaid.

WHEREFORE IT IS NOW ORDERED by the Court that The Fifth Third Union Trust Company be and it is hereby authorized and directed to accept the offer of said A. G. Wern and upon payment of same, together with a sum of \$ 55.00 agreed to be paid by said purchaser to cover the costs of this proceeding, including the compensation of the Trustee's attorney, the Trustee is authorized to execute and deliver a proper deed of quitclaim releasing the above described premises from all obligations to the Estate of Ethan Stone, Deceased, for ground rent, and from the performance of all other covenants on the part of the Lessee, his heirs, executors, administrators and assigns.

Doc # 1

PROBATE COURT
HAMILTON COUNTY, OHIO

No. 176

[Signature]

IN THE MATTER OF THE ESTATE
OF ETHAN STONE, DEC'D.

APPLICATION FOR AUTHORITY TO
SELL GROUND RENT

FILED

AUG 26 1953

CLARENCE M. DAVIES
PROBATE JUDGE & EX-OFFICIO CLERK
[Signature]
CLERK

PROBATE COURT
HAMILTON COUNTY, OHIO

In the matter of the Estate }
of } No. 176
ETHAN STONE, Deceased }

APPLICATION FOR AUTHORITY TO SELL GROUND RENT

NOW COMES The Fifth Third Union Trust Company
and reports to the Court that it is the duly appointed and acting
Successor-Trustee under the will of Ethan Stone, Deceased;

THAT, As such Trustee, it owns a ground rent to
the following described premises:

Situate in Section 29, Town 4, Fractional Range 1,
Storrs Township, Cincinnati, Ohio, beginning at a point
in the East line of Maryland Avenue (formerly Price Hill
Road) 50.24 ft. south of the North line of Section 29 of
Storrs Township, measured along said East line of said
Maryland Avenue; thence Eastwardly on a line parallel to
the North line of Section 29, South 88° 57' East 70.85 ft.
to a point; thence South at right angles, South 1° 3'
West 25 feet to a point; thence Westwardly parallel to
said section line, North 88° 57' West 68.40 feet to the
Easterly line of Maryland Avenue; thence North 4° 33'
West 25.12 feet to the place of beginning.

Being the same premises conveyed to A. G. Wern by
the Administrator of Elizabeth Fitzpatrick by deed re-
corded in Deed Book 2286 at page 191, Hamilton County,
Ohio Records.

THAT, The leasehold of said premises is held
by A. G. Wern, who acquired said leasehold from the Administrator
of Elizabeth Fitzpatrick, by deed recorded in Deed Book 2286 at
page 191, Hamilton County, Ohio Records;

THAT, Said A. G. Wern is obligated to pay Ten
Dollars (\$10.00) annually on said ground rent on the first day of
May each year to The Fifth Third Union Trust Company, Trustee, as
aforesaid, and is also obligated to pay all taxes and assessments
on the said property;

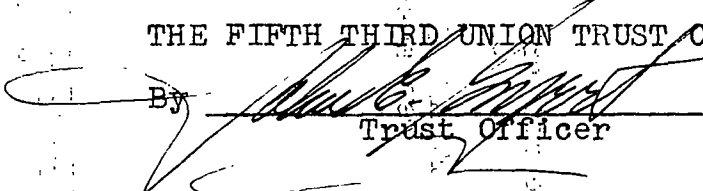
THAT, Said A. G. Wern has offered to purchase all
The Fifth Third Union Trust Company's right, title and interest.

as Trustee as aforesaid, in and to said premises for the sum of \$ 445.00, and has further agreed to pay the sum of \$ 55.00 covering the costs of this Application and Attorney's fees, and The Fifth Third Union Trust Company, Trustee as aforesaid, is willing to sell all its right, title and interest in and to said premises to said A. G. Wern, and to execute a quit claim deed of its said interest in said premises;

THAT, Robert N. Abbott, John G. Tomlin and Bruce I. Petrie, three disinterested persons, landowners and residents of Hamilton County, Ohio, have set a value of \$ 445.00 for said interest as will appear from the Affidavit attached hereto and made part hereof, and marked "Exhibit A";

NOW, THEREFORE, The Fifth Third Union Trust Company, Trustee as aforesaid, prays the Court for an order authorizing The Fifth Third Union Trust Company, Trustee as aforesaid, to accept the offer of A. G. Wern.

THE FIFTH THIRD UNION TRUST COMPANY

By 

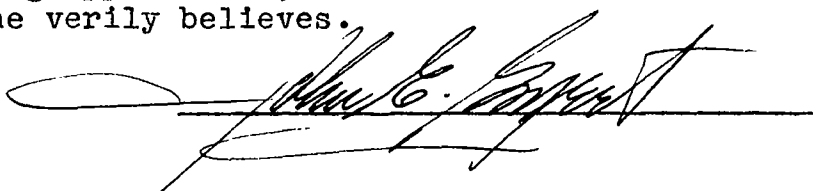
Trust Officer

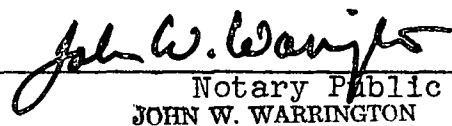
STATE OF OHIO }

HAMILTON COUNTY }

SS:

John E. Goyert, being first duly cautioned and sworn says that he is Trust Officer of The Fifth Third Union Trust Company, the Trustee under the will of Ethan Stone, Deceased; that he has read the foregoing Application, and that the facts therein contained are true as he verily believes.


Sworn to before me and subscribed in my presence this 21st day of August, 1953.


Notary Public
JOHN W. WARRINGTON

Notary Public, State of Ohio
My Commission Expires April 8, 1955

STATE OF OHIO }
COUNTY OF HAMILTON } SS:

Robert N. Abbott, John G. Tomlin

and Bruce I. Petrie, being first duly cautioned and sworn, state that they are land owners and residents of Hamilton County, Ohio, and that they have no interest in the hereinafter described property:

Situate in Section 29, Town 4, Fractional Range 1, Storrs Township, Cincinnati, Ohio, beginning at a point in the East Line of Maryland Avenue (formerly Price Hill Road) 50.24 feet south of the North line of Section 29 of Storrs Township, measured along said East line of said Maryland Avenue; thence Eastwardly on a line parallel to the North line of Section 29, South 88° 57' East 70.85 feet to a point; thence South at right angles, South 1° 3' West 25 feet to a point; thence Westwardly parallel to said section line, North 88° 57' West 68.40 feet to the Easterly line of Maryland Avenue; thence North 4° 33' West 25.12 feet to the place of beginning.

That they know that the said property is subject to a ground rent payable to The Fifth Third Union Trust Company as Trustee under the Will of Ethan Stone, Deceased, in the amount of \$10.00 on the first day of May of each and every year; that, in their opinion, the value of said ground rent and the total value of the full interest of said The Fifth Third Union Trust Company, Trustee as aforesaid, in and to said premises is \$445.00, and that in their opinion the said interest could not be sold for more at public sale.

Further affiants saith naught.

Robert N. Abbott

John G. Tomlin

Bruce I. Petrie

Sworn to before me and subscribed in my presence this

21 day of ~~July~~ ^{August}, 1953.

John W. Warrington
Notary Public

JOHN W. WARRINGTON
Notary Public, State of Ohio
My Commission Expires April 8, 1955

NO. 176

PROBATE COURT,
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF
ETHAN STONE, DECEASED

ORDER INSTRUCTING AND
DIRECTING TRUSTEE

ENTER

Charles W. Davies
PROBATE JUDGE

ENTERED

MAR 15 1954

MIN. VOL. 653
PAGE 47^c

SP

PROBATE COURT, HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE : NO. 176
OF : ORDER INSTRUCTING AND
ETHAN STONE, DECEASED : DIRECTING TRUSTEE

This cause coming on to be heard upon the application of The Fifth Third Union Trust Company successor Trustee under the last will and testament of Ethan Stone, deceased, for an order of the Court instructing said Trustee as to its proper duty with respect to the trust, and for the direction of the Court in prosecuting a claim of said Trustee against one Elmore Foster for due and unpaid rents reserved by the said Ethan Stone in a certain perpetual lease dated June 1, 1830, and recorded in Lease Book 71, page 217 of the land records of Hamilton County, Ohio, under which the said Elmore Foster is successor lessee by assignment of such leasehold estate, and it appearing to the Court that said claim is just and that it is the duty of said Trustee to institute legal proceedings for the recovery of the amount now due, and so to protect the trust:

IT IS THEREFORE ORDERED that said Trustee be and hereby is granted leave to institute legal proceedings for recovery upon its claim, and for such purpose to employ counsel and pay court costs incurred therein, from funds of the trust estate.

NO. 176

PROBATE COURT,
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF
ETHAN STONE, DECEASED

APPLICATION FOR INSTRUCTIONS

FILED

MAR 15 1954

CHASE M. DAVIES
PROBATE JUDGE & EX-OFFICIO CLERK

Carroll

PROBATE COURT, HAMILTON COUNTY, OHIO

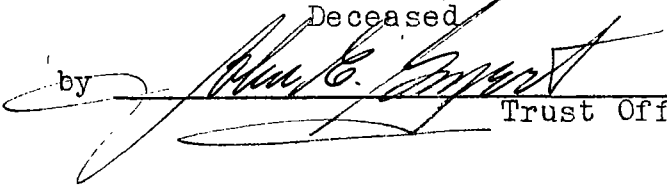
IN THE MATTER OF THE ESTATE : NO. 176
OF : APPLICATION FOR INSTRUCTIONS
ETHAN STONE, DECEASED :

Now comes The Fifth Third Union Trust Company successor Trustee under the last will and testament of Ethan Stone, deceased, by John E. Goyert, Trust Officer, and respectfully represents that as such Trustee it has a claim for rents due and unpaid against Elmore Foster, whose address is 601 State Avenue, Cincinnati, Ohio, in the amount of \$80.00; that said Elmore Foster is successor lessee by assignment of a certain leasehold estate granted by the said Ethan Stone to Ruth Hutchins and Joseph Hutchins in perpetual lease dated June 1, 1830 and recorded in Lease Book 71, page 217 of the land records of Hamilton County, Ohio, and although demand has been made for rents reserved in said lease, the said Elmore Foster has failed and refused to pay the same.

WHEREFORE, your applicant respectfully prays the Court for an order instructing said The Fifth Third Union Trust Company, successor Trustee, as to its proper duty in the premises, and for the direction of the Court.

THE FIFTH THIRD UNION TRUST COMPANY,
successor Trustee u/w of Ethan Stone,
Deceased

by

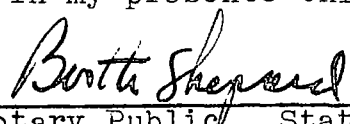

Trust Officer

STATE OF OHIO :
COUNTY OF HAMILTON:SS:

JOHN E. GOYERT, being first duly sworn, says that he is a Trust Officer of The Fifth Third Union Trust Company, applicant herein, and that the facts stated in the foregoing application are true, as he verily believes.


John E. Goyert

Sworn to before me and subscribed in my presence this 12th day of March, 1954.


Notary Public, State of Ohio

No. 176

PROBATE COURT

HAMILTON COUNTY, OHIO

In the Matter of the Estate of
Ethan Stone, Deceased

First Current Account
of
Receipts and Disbursements

FILED

MAR 22 1954

CHAS. M. DAVIES
PROBATE CLERK

MIN. VOL. 653
PAGE 638

MAR 22 1954

FILED

THE FIFTH THIRD UNION TRUST CO.
as Trustee herein

Booth Shepard

31-2

ATTORNEY

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I, H. V. Smith, a Senior Trust Officer of The Fifth Third Union Trust Company, hereby certify that there was on deposit, February 8, 1954, with the said Trust Company, to the credit of The Fifth Third Union Trust Company, as Trustee under the Will of Ethan Stone, deceased, the sum of Eight Hundred Sixty-Five and 97/100ths. (\$865.97) Dollars, as shown by the First Current Account of said Trustee of date of February 8, 1954.

A handwritten signature in dark ink, appearing to read "H. V. Smith", is written over a horizontal line.

Senior Trust Officer

PROBATE COURT, HAMILTON COUNTY, OHIO

In the Matter of the Estate of }
Ethan Stone, deceased. } No. 176

Mar. 3, 1952, The Fifth Third Union Trust Company, appointed Trustee U/W of Ethan Stone, dec'd.
(Succeeding The Cincinnati Bank & Trust Company)

Trust No. T-4101
First Current Account
of
THE FIFTH THIRD UNION TRUST COMPANY
as Trustee herein.

PRINCIPAL ACCOUNT

	Total Receipts, as per this Account	500.00 ✓	
	Total Disbursements, as per this Account	<u>482.01</u> ✓	
Feb. 8, 1954,	Balance on Hand		17.99 ✓

INCOME ACCOUNT

	Total Receipts, as per this Account	2,288.09 ✓	
	Total Disbursements, as per this Account	<u>1,440.11</u> ✓	
Feb. 8, 1954,	Balance on Hand		847.98 ✓
Feb. 8, 1954,	Total Cash on Hand		\$865.97 ✓

For Receipts and Disbursements in detail, see pages hereto attached.
17 Vouchers (Nos. 1 to 17 incl.) for Disbursements filed herewith.

Cincinnati, Ohio, February 8, 1954.

State of Ohio,)
County of Hamilton.) SS.

John E. Goyert, being duly sworn, says that he is a Trust Officer of The Fifth Third Union Trust Company, Trustee herein, and that the foregoing and annexed Account is just and true to the best of his knowledge, information and belief.

Sworn to and subscribed before me this 8th day of February, 1954.

BOOTH SHEPARD
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires 1/1/55

Booth Shepard
Notary Public in and for
Hamilton County, Ohio

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CASH AND SECURITIES HELD AT DATE OF THIS ACCOUNT

<u>Description</u>		<u>Appraised or Cost Value</u>
✓ \$650. par value,	U. S. Treasury 2 7/8% Bonds, due March 15, 1960	650.00
	Bond No. 51202B for	500.00
	Bond No. 1349191 for	100.00
	Bond No. 25238J for	50.00
		<u>\$650.00</u>
✓ 1,350. " "	U. S. Treasury 2 1/2% Bonds, due Sept. 15, 1972	1,328.06
	Bond No. 30653C for	500.00
	Bond Nos. 82682B, 95942B, 78762B/3C	
	131651A/2B/3C/4D, 8 for \$100.00 each	800.00
	Bond No. 10966F for	50.00
		<u>\$1,350.00</u>
✓ 1,000. " "	U. S. Treasury 2 1/2% Bonds, due June 15, 1972	1,000.00
	Bond Nos. 105112B, 19614D, 2 for \$500. each	\$1,000.00
✓ 200. " "	U. S. Treasury 2 1/2% Bonds, due June 15, 1967	200.00
	Bond Nos. 50811A, 50812B, 2 for \$100. each	\$200.00
✓ The Fifth Third Union Trust Company, Invested Income Savings, Account #71279 ✓		229.74 ✓
✓ Cabinet - Supreme Savings & Loan Association, Invested Income Savings, Account #149 ✓		384.60 ✓
✓ Miscellaneous Ground rents under perpetual leases of property in fractional section 29 Storrs Township, Cincinnati, Ohio		1.00
Feb. 8, 1954,	Total Securities at Appraised or Cost Value	\$3,793.40
"	Principal Cash Balance (Credit)	<u>17.99</u> ✓
Feb. 8, 1954,	Total Principal Account	\$3,811.39
"	Income Cash Balance (Credit)	<u>847.98</u> ✓
Feb. 8, 1954,	Total Estate at Appraised or Cost Value	\$4,659.37

Securities exhibited in Open Court and Statement from Bank attached.

C. H. Bader

Deputy Clerk, Probate Court
Hamilton County, Ohio

TRANSACTIONS OF
THE CINCINNATI BANK & TRUST COMPANY
FORMER TRUSTEE, FROM DATE OF LAST ACCOUNT, NOV. 5, 1951

Date	Vo. No.			<u>RECEIPTS</u>	<u>DISBURSEMENTS</u>
1951 Nov. 5		Cash on Hand per Court Account \$413.49			
		Less: Adjustment for Interest on Savings Accounts not received in cash <u>12.59</u>			
		Actual cash on hand 11/5/51		400.90	
Dec. 31		Transfer from Poor Fund Savings Account		60.00	
	20	H. Hemsath & Sons	17 baskets of food for poor		60.00 -
1952 Jan. 4		U. S. Treasury 2 1/2% Bonds	Interest	12.50	
		U. S. Treasury 2 1/2% Bonds	Interest	1.25	
		U. S. Treasury 2 1/2% Bonds	Interest	1.25	
Feb. 29	21	Eric T. Schulze, Attorney	Report to Court		22.05 -
	22	Cincinnati Bank & Trust Company	Trustees fee		250.00 -
	23	Eric T. Schulze, Attorney	Attorneys fee		100.00 -
				<u>\$475.90 ✓</u>	<u>\$432.05 ✓</u>

Receipts	475.90 ✓
Disbursements	<u>432.05 ✓</u>
Cash charged to Successor Trustee	\$43.85 ✓

	DATE	FROM	FOR	AMOUNT	
				INCOME	PRINCIPAL
	1952				
M.	Mar. 4	Balance on Hand per Books of The	Cincinnati Bank & Trust Company, former Trustee	43.85	
	17	U. S. Treasury 2 7/8% Bonds	Interest	9.35	
A.		U. S. Treasury 2 1/2% Bonds	Interest	11.25	
	May 1	Fred A. Schmidt Incorporated	Ground rent due 5/1/52, Mt. Hope Rd. a/c John Bunker	11.25	
		George W. Leary	Ground rent due 5/1/52 at 2359 Elberon Ave.	6.00	
N.		Robert C. Doyle	Ground rent due 5/1/52 at 2444 River Road	3.00	
	5	The Baltimore & Ohio Railroad Co.	Ground rent due 5/1/52	422.75	
		Sun Oil Company	Ground rent due May 1, 1952 for property on River Road	30.00	
	6	Raymond T. Howe	Ground rent due May 1, 1952 at 2466 River Road	5.00	
	7	C. C. Smith	Ground rent due 5/1/52 at 2616 River Rd.	6.00	
J.	June 16	U. S. Treasury 2 1/2% Bonds	Interest	2.50	
		U. S. Treasury 2 1/2% Bonds	Interest	12.50	
A.	19	Frank Kittle	Rental due 7/1/51 at 2458 River Rd.	22.00	
		Bertha Rymar	Rent due 5/1/52 at 2454 Galvin Avenue	1.50	
	23	Mrs. Leafy Kiser	Rent due 5/1/52 at 2448 Galvin Avenue	.50	
	25	Frank Wilzbach	Rent due 5/1/52	5.50	
J.	July 3	Alma Morrel	Rent due 5/1/52 at 522 Davenport Avenue	3.30	
	14	J. L. Peters	Ground rent, 2548 River Rd. due 5/1/52	30.00	
	16	Herman Biest	Rent due 5/2/52 at 2306 River Road	15.00	
	Sept. 15	U. S. Treasury 2 1/2% Bonds	Interest	11.25	
A.		U. S. Treasury 2 7/8% Bonds	Interest	9.35	
	Oct. 16	Walter & Jacob Riddle	2456 River Rd. Cincinnati, rent due 7/1/52	8.00	
O.		Clemens Peters - 2466 Galvin St.	Rent due 1/1/52	7.50	
		Mrs. Daisy Hendrixson - 2630 River Road	Rent due 5/1/52	5.00	
		Robert Hallforth - 2316 River Rd.	Rent due 5/1/52	12.50	
		Robert Hallforth-2316 River Rd.	Rent due 5/1/52	12.50	
	17	Clifford & Viola Graler - 464 Grand Avenue, Cincinnati, Ohio	Rent due 10/1/51 to 5/1/52	2.50	
N.		Miss Alma Flade - 2403 Elberon	Rent due 5/1/52	1.75	
		Mabel Stevens - 2440 River Rd.	Rent due 5/1/51	1.25	
		Ray A. Luers-2624 River Road	Rent due 5/1/51	10.00	
		Ezra Emerson - 2468 River Rd.	Rent due 5/1/51	5.00	
		Charles Uleminger - 609 Maryland	Rent due 5/1/51	7.00	
D.		Nelson Weichold - 2048 Yeast	Rent due 5/1/51	18.00	
		Mrs. Deephy & Nelson Weichold - 2324 River Road	Rent due 5/1/51	13.12	
	20	Fisher & Roller - 2351 Elberon	Rent due 5/1/52	6.50	
		Frank J. Pudenz - 611 Maryland	Rent due 5/1/52	13.00	
		Grover Rolington-2448 River Rd.	Rent due 5/1/52	3.00	
	21	Mrs. Henrietta Budd - 2546 River Road, Cincinnati, Ohio	Rent due 5/1/52	26.00	
		Richard Schwier-2632 River Road	Rent due 5/1/52	5.00	
		E. A. Wern - 628 Maryland	Rent due 5/1/52	10.00	
	22	Josie Stull - 2464 River Road	Rent due 1/1/52	5.00	
	23	Central Outdoor Adv. Co. N.W. Cor. Mt. Hope & Elberon	Rent due 7/1/52	4.25	
	24	Robert Reiber - 2512 River Road	Rent due 6/1/52	10.00	
		Robert Reiber - 2512 River Road	Rent due 6/1/52	10.00	
	28	Thresia Drexler - 613 Maryland	Rent due May 1, 1952	13.00	
		Charles Frederick & Zeus Gourley 2628 River Road	Rent due 5/1/52	5.00	
	31	Thelma Blasing 2516 River Road	Rent due 5/1/52	10.00	
		William F. Hooltge, 2523 Galvin	Rent due 6/1/52	13.50	
		Henry H. Hess - River Rd. & Mt. Hope	Rent due 6/1/52	10.00	
		Irvin J. Hawant, 2454 River Road	Rent due 5/1/52	3.00	
	Nov. 3	Mrs. Margaret Hallbauer, 2468 Galvin	Rent due 5/1/52	2.50	
		Fran Gertrude Kittle, 2456 River Road	Rent due 7/1/52	22.00	
		Carl H. Woerner, 2442 River Rd.	Rent due 5/1/52	1.25	
	10	Stephan Monar, 498 Mt. Hope	Rent due 5/1/52	4.00	
		Stephen Monar, 498 Mt. Hope	Rent due 5/1/52	2.00	
		Stephen Monar, 498 Mt. Hope	Rent due 5/1/52	6.00	
		Stephen Monar, 498 Mt. Hope	Rent due 5/1/52	2.25	
	-1-		TOTAL AMOUNT CARRIED FORWARD	\$953.22	

	DATE	FROM	FOR	AMOUNT	
				INCOME	PRINCIPAL
	1952				
	Nov. 10		Total Amounts Brought Forward	\$953.22	
M.	12	Clara Miller, 2442 Maryland Ave.	Rent due 5/1/52	1.25	
A.	13	Richard Puryear, 2519 Galvin St.	Rent due 6/1/52	4.50	
	17	Agnes Sedler, 2462 River Road	Rent due 1/1/52	5.00	
	19	Wing Lee, 2322 River Road	Rent due May 1, 1950/51/1952	28.14	
	Dec. 2	Jessie L. & Mattie Woosley, 2500 River Road	Rent for month ending December 2, 1952	60.00	
N.	5	Mrs. Anna Young, 456 Grand Avenue	Rent due 12/1/52	7.00	
	10	Carl Woerner, 615 Maryland St.	Rent for month due 5/1/52	5.25	
		Fred & Lilly Crider, 612 Maryland	Rent due 5/1/52	3.00	
	15	U. S. Treasury 2 1/2% Bonds	Interest	12.50	
		U. S. Treasury 2 1/2% Bonds	Interest	2.50	
	29	Mrs. Helen Bloom, 2318 River Rd.	Rent due 5/1/52	12.50	
	31	P.H. Morton Estate, Grand Ave.	Part payment of rent due 5/1/52	10.00	
	1953				
	Jan. 12	The Fifth Third Union Trust Co. Savings Account No. 71279	Partial withdrawal invested income	46.77	
		The Fifth Third Union Trust Co.	Withdrawal of interest on Savings Account No. 71279	3.23	
	14	Lora & Grace E. Piper, 2314 River Road	Rent due 5/1/52	17.00	
	Feb. 11	James & Nannie May Merriman, 2320 River Road	Rent due 5/1/52	4.50	
	Mar. 16	U. S. Treasury 2 1/2% Bonds	Interest	11.25	
		U. S. Treasury 2 7/8% Bonds	Interest	9.35	
	Apr. 29	Alma Morel, 522 Davenport St.	Rent due 5/1/53	2.30	
		Alma Morel, 522 Davenport St.	Rent due 5/1/53	1.00	
		Raymond T. Howe, 2466 River Rd.	Rent due May 1, 1953	5.00	
	30	George W. Leary, 2359 Elberon Ave.	Rent for year ending May 1, 1953	6.00	
		Nelson Weichold 2048 Yoast Ave.	Rent for year ending May 1, 1953	18.00	
		Mrs. Delphy & Nelson Weichold, 2048 Yoast Avenue	Rent for year ending May 1, 1953	13.12	
		Mrs. Hazel Fisher & Miss Edith Roller, 2351 Elberon Avenue	Rent for year ending May 1, 1953	6.50	
	May 1	B. & O. R.R. Company, 202 B. & O. Bldg. Baltimore, Maryland	Rent for year ending May 1, 1953	422.75	
		Sun Oil Company, 2408 River Rd.	Rent for year ending May 1, 1953	22.50	
		Sun Oil Co., 2408 River Road	Rent for year ending May 1, 1953	7.50	
	4	Mabel Stevens, 2440 River Road	Rent for year ending May 1, 1953	1.25	
		C. C. Smith, 2616 River Road	Rent for year ending May 1, 1953	6.00	
		Robert C. Doyle, 2444 River Rd.	Rent for year ending May 1, 1953	3.00	
		Charles Menninger c/o Newport Benevolent Buriel Ass'n. 822 York St. Newport, Kentucky	Rent for year ending May 1, 1953	7.00	
		Mrs. Henrietta Budd, 2546 River Road	Rent for year ending May 1, 1953	26.00	
		Bertha Rymer, 2454 Galvin Avenue	Rent for year ending May 1, 1953	1.50	
		Grover Bolington, 2450 River Rd.	Rent for year ending May 1, 1953	3.00	
	6	Clemens Peters, 2466 Galvin St.	Rent due Jan. 1, 1953	7.50	
		Frank A. Wilzbach, 542 Davenport Street	Rent due 5/1/53	5.50	
		Fred K. A. Schmidt Estate, 5th. & Main Sts. Cincinnati, Ohio	Rent for year ending May 1, 1953	11.25	
	7	O. H. & A. L. Duncan, 615 Maryland Avenue	Rent for year ending May 1, 1953	1.25	
		Miss Alma E. Flade, 2403 Elberon Avenue	Rent for year ending May 1, 1953	1.75	
	11	Central Outdoor Adv. Co. Mt. Hope & Elberon Sts.	Rent due 7/1/53	4.25	
		J. L. Peters, 2548 River Road	Rent for year ending May 1, 1953	30.00	
	12	William T. Hooltge, 2523 Galvin Street	Rent due June 1, 1953	13.50	
		E. A. Wern c/o Arthur G. Wern 1755 Harrison Avenue	Rent for year ending May 1, 1953	10.00	
	13	Charles Frederick & Zenas Gourley 2628 River Road	Rent for year ending May 1, 1953	5.00	
		Thelma Blasing, 2516 River Road	Rent for year ending May 1, 1953	10.00	
		Mrs. Daisy Hendrixson, 2630 River Road	Rent for year ending May 1, 1953	5.00	
		Thresia Drexler, 613 Maryland	Rent for year ending May 1, 1953	13.00	
	-2-		TOTAL AMOUNT CARRIED FORWARD	\$1,867.38	

	DATE	FROM	FOR	AMOUNT	
				INCOME	PRINCIPAL
	1953				
M	May 13		Total Amount Brought Forward	\$1,867.38	
	14	Clifford & Viola Graler, 6502 Hillside Avenue	Rent for year ending May 1, 1953	1.25	
A	15	Ezra Emerson, 2468 River Road	Rent for year ending May 1, 1953	5.00	
	18	Agnes Sedler, 2462 River Road	Rent due 1/1/53	5.00	
	19	Mrs. Helen Bloom, 892 Lexington Avenue	Rent for year ending May 1, 1953	12.50	
N	20	Ray A. Luers, 2624 River Road	Rent for year ending May 1, 1953	10.00	
	22	Stephen Monar, 498 Mt. Hope Rd.	Rent for year ending May 1, 1953	2.25	
		Stephen Monar, 498 Mt. Hope Rd.	Rent for year ending May 1, 1953	6.00	
		Stephen Monar, 498 Mt. Hope Rd.	Rent for year ending May 1, 1953	2.00	
		Stephen Monar, 498 Mt. Hope Rd.	Rent for year ending May 1, 1953	4.00	
	26	Namon & Leafy Kiser, 2448 Galvin Avenue	Rent for year ending May 1, 1953	.50	
J	27	Richard Puryear, 2519 Galvin Ave.	Rent for year ending June 1, 1953	4.50	
	28	Carl H. Woerner, 615 Maryland Ave.	Rent for year ending May 1, 1953	6.50	
A	June 1	Frank J. Pudenz, 611 Maryland Ave.	Rent for year ending May 1, 1953	13.00	
	June 2	Robert E. Ethel Reiber, 2512 River Road	Rent for year ending June 1, 1953	10.00	
		Robert E. & Ethel Reiber, 2514 River Road	Rent for year ending June 1, 1953	10.00	
J		Mrs. Margaret Hallbauer, 2468 Galvin Avenue	Rent for year ending May 1, 1953	2.50	
	3	Central Outdoor Adv. Co. Mt. Hope & Elberon	Rent due 7/1/54	4.25	
	10	Lora & Grace E. Piper, 624 Maryland Avenue	Rent for year ending May 1, 1953	17.00	
	15	U. S. Treasury 2 1/2% Bonds	Interest	12.50	
		U. S. Treasury 2 1/2% Bonds	Interest	2.50	
	18	Irvin J. Hamant, 2454 River Road	Rent for year ending May 1, 1953	3.00	
	July 1	Walter & Jacob Riddle, 2456 River Road	Rent for year ending July 1, 1953	8.00	
	3	James & Mannie May Marrison, 2320 River Road	Ground Rent for year ending May 1, 1953	4.50	
N	13	Frank & Gertrude Kittle, 2458 River Road	Rent for year ending July 1, 1953	22.00	
	Aug. 4	Robert Hallforth, 2316 River Rd.	Rent for year ending May 1, 1953	12.50	
		Robert Hallforth, 2316 River Rd.	Rent for year ending May 1, 1953	12.50	
	7	Henry Hess, 2510 River Road	Ground rent for year ending June 1, 1953	10.00	
		Richard Schwin, 2632 River Road	Ground rent for year ending May 1, 1953	5.00	
		Wing Lee, 2322 River Road	Ground rent for year ending May 1, 1953	9.38	
		Jessie L. & Mattie Woodsley, 2500 River Road	Ground rent for year ending February 1, 1953	60.00	
	13	Henry T. & Stacey Shields, 2306 River Road	Rent due May 1, 1953	15.00	
	Sept. 4	Fred & Lilly Crider, 612 Maryland Avenue	Rent for year ending May 1, 1953	3.00	
	15	U. S. Treasury 2 1/2% Bonds	Interest	11.25	
		U. S. Treasury 2 7/8% Bonds	Interest	9.33	
	Oct. 20	Mrs. Anna M. Young, 456 Grand Ave.	Ground rent due from 5/1/52 to 5/1/54	14.00	
	27	A. G. Wern	Release of perpetual Ground rent at 628 Maryland Avenue		500.00
	Dec. 1	John Younger, 2312 River Road	Ground rent for year ending May 1, 1953	25.00	
	15	U. S. Treasury 2 1/2% Bonds	Interest	12.50	
		U. S. Treasury 2 1/2% Bonds	Interest	2.50	
	30	Savings Account #71279 - The Fifth Third Union Trust Company	Transfer to income cash	50.00	
			Total Receipts	\$2,288.09	\$500.00

DISBURSEMENTS

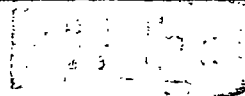
DISBURSEMENTS					
DATE	VO NO	PAID TO	FOR	AMOUNT	
				INCOME	Principal
1952					
Mar. 31	1	Graydon, Head & Ritchey	Cost of securing 1 c.c. of Application and entry finding Successor Trustee	1.25	
Apr. 23	2	Auditor of The City of Cincinnati	Payment due May 5, 1952 to Ministerial Fund on lease to Ethan Stone recorded in DeedBook W 2 page 205 Hamilton County, Ohio Records.	40.00	
Nov. 3	3	Widows and Old Mens' Home	Payment for year beginning 5/1/52	60.00	
	4	State Avenue Methodist Church	Partial Distribution of income for year beginning 5/1/52	250.00	
	5	St. Martins Church School	Partial Distribution of income for year beginning 5/1/52	250.00	
	6	The Cincinnati Orphan Asylum	Payment for year beginning 5/1/52	100.00	
1953					
Jan. 7	7	Hemsath Sons	18 baskets of food supplied to poor families of Storrs Township from "Poor Fund"	108.00	
Apr. 28	8	Auditor of the City of Cincinnati	Rental due Ministerial fund on May 4, 1953 on lease to Ethan Stone recorded in Deed-Book W2, page 205, Hamilton County, Ohio records	40.00	
July 9	9	State Avenue Methodist Church	Balance of income for year beginning May 1, 1952	142.05	
	10	St. Martins Church School	Balance of income for year beginning May 1, 1952	142.05	
Aug. 3	11	The Fifth Third Union Trust Co.	Trustees fee on principal to 4/30/53 per order of Court	36.83	
Oct. 20	12	Widows and Old Mens Home	In full for annual bequest	60.00	
	13	Cincinnati Orphan Asylum	In full for annual bequest	100.00	
	14	The Fifth Third Union Trust Co.	U. S. Documentary Tax to deed to 628 Maryland Avenue		.55
	15	Graydon, Head & Ritchey	Legal services in connection with sale of 628 Maryland Avenue	50.00	
			court costs	3.40	53.40
Nov. 16	16	C. J. Devine & Company	\$450. U. S. Treasury 2 1/2% 9/15/72-67 @ 95 4/32	428.06	
			Int. 9/15 to 11/16/53	1.93	428.06
			Bond Nos. 131651A/2B/3C/4D for 100. each		
			Bond No. 10966F for \$50.		
Dec. 30	17	Henry Hemsath & Sons	18 food baskets delivered to poor of Storrs Township	108.00	
			Total Disbursements	\$1,440.11	\$482.01

NO. 176

PROBATE COURT,
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF
ETHAN STONE, DECEASED

APPLICATION FOR ORDER
FIXING TIME FOR HOLDING
OF ELECTION



APR 1 - 1954

JOSEPH M. DAVIES
JUDGE

A handwritten signature in cursive script, appearing to read "J. Davies", written over the printed name and title.

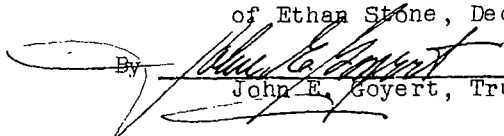
PROBATE COURT, HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE : NO. 176
OF : APPLICATION FOR ORDER FIXING
ETHAN STONE, DECEASED : TIME FOR HOLDING OF ELECTION

Now comes The Fifth Third Union Trust Company, successor Trustee under the last will of Ethan Stone, deceased, and respectfully represents that, as provided in said last will of Ethan Stone, deceased, an election among the Protestant communicants of former Storrs Township shall be held once in every ten years for the purpose of determining to what denomination of Protestant Christians certain income of the trust estate shall be appropriated for the ensuing period of ten years following such election; that, as ordered by this Court, the last said election was held on April 10, 1944; that said Trustee has ascertained and secured consent among interested parties that said election may be held on April 21, 1954, and that the following named locations may be used as polling places therefor: School room - Price Hill Methodist Church - Considine & Phillips Sts., Cincinnati, Ohio; school room - State Avenue Methodist Church, 645 State Avenue, Cincinnati, Ohio; school room - St. Martin's Church, Evangelical Protestant, 2652 River Road, Cincinnati, Ohio.

WHEREFORE, applicant prays the Court to fix April 21, 1954, as the time for holding said election, and that notice thereof be ordered to be given as provided in decrees of the Common Pleas Court of Hamilton County, Ohio, in Cases Nos. 95351 and A-4904.

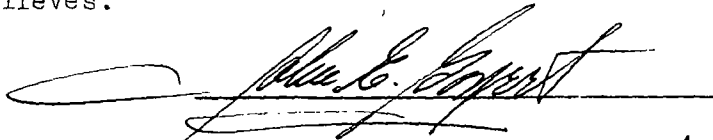
THE FIFTH THIRD UNION TRUST COMPANY,
successor Trustee under the last will
of Ethan Stone, Deceased

By  John E. Goyert, Trust Officer

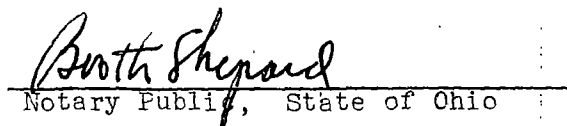
STATE OF OHIO :
COUNTY OF HAMILTON:SS:

John E. Goyert, being first duly sworn, says that he is a

Trust Officer of The Fifth Third Union Trust Company, the applicant herein, and that the facts stated in the foregoing application are true, as he verily believes.



Sworn to before me and subscribed in my presence this 1st day of April, 1954.


Notary Public, State of Ohio

BOOTH SHEPARD
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires _____

NO. 176

PROBATE COURT,
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE

OF

ETHAN STONE, DECEASED

ENTER

Charles M. Davies

PROBATE JUDGE

ENTRY FIXING COMPENSATION OF
TRUSTEE AND COUNSEL FEES

ENTERED

APR 11 1954

MIN. VOL.

PAGE

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J

PROBATE COURT, HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE

NO. 176

OF

ENTRY FIXING COMPENSATION OF
TRUSTEE AND COUNSEL FEES

ETHAN STONE, DECEASED

:

This cause came on to be heard upon the application of The Fifth Third Union Trust Company, successor Trustee under the will of Ethan Stone, deceased, for an order fixing compensation of said Trustee and fixing the value of legal services of Booth Shepard, attorney, and authorizing payment thereof from funds of said trust estate, and on consideration thereof, the Court does fix the compensation of said The Fifth Third Union Trust Company successor Trustee, for services in the period of March 4, 1952, to February 8, 1954, in the amount of \$ 260⁰⁰/₁₀₀, chargeable as follows: \$ to the principal account, and \$ to the income account, and the Court does further find that the services of said Booth Shepard, attorney, were of benefit to the trust estate and of a reasonable value of \$ 50⁰⁰/₁₀₀.

IT IS THEREFORE ORDERED that said Trustee pay to the said The Fifth Third Union Trust Company the sum of \$ 200⁰⁰/₁₀₀ as aforesaid, and to Booth Shepard, attorney, the sum of \$ 50⁰⁰/₁₀₀, from funds of the trust estate, and include the same as items in the next account of said Trustee.

NO. 176

PROBATE COURT,
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF
ETHAN STONE, DECEASED

APPLICATION TO FIX COMPENSATION
OF TRUSTEE AND TO ALLOW COUNSEL
FEES

FILED

APR 1 - 1954

CHASE M. DAVIES
PROCLAM. JUDGE & CLERK
BY *J. Bolo*

PROBATE COURT, HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE : NO. 176
OF : APPLICATION TO FIX COMPENSATION
ETHAN STONE, DECEASED : OF TRUSTEE AND TO ALLOW COUNSEL
FEES

Now comes The Fifth Third Union Trust Company, successor Trustee under the will of Ethan Stone, deceased, by John E. Goyert, Trust Officer, and makes application for an allowance as compensation for its services in carrying out the trust during the period of March 4, 1952, to February 8, 1954.

Your applicant represents that, as shown by its first current account heretofore filed, it collected income of the trust estate during said period in the amount of \$2,228.09, and that assets constituting the principal of such trust estate have a total value of \$4,659.37.

Your applicant further represents that Booth Shepard, attorney, has rendered legal services of benefit to said trust estate.

WHEREFORE, applicant prays the Court to fix the respective compensations of said The Fifth Third Union Trust Company, successor Trustee, and Booth Shepard, attorney, and to authorize payment thereof from funds of the trust estate now on hand, including the same as items in the next account of said Trustee.

THE FIFTH THIRD UNION TRUST COMPANY,
successor Trustee under the will of
Ethan Stone, Dec'd.

By

John E. Goyert, Trust Officer

STATE OF OHIO :
COUNTY OF HAMILTON:SS:

John E. Goyert, being first duly sworn, says that he is a Trust Officer of The Fifth Third Union Trust Company, the applicant herein, and that the facts stated in the foregoing application are true as he verily believes.

Sworn to before me and subscribed in my presence this 31st day of March, 1954.

Evelyn Levy
Notary Public, Hamilton County, Ohio

NO. 176

PROBATE COURT
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE

OF

ETHAN STONE, DECEASED

ENTER

Charles M. Davis
PROBATE JUDGE

ENTRY FIXING APRIL 21, 1954,
AS TIME FOR HOLDING OF ELECTION.

ENTERED

APR 1 - 1954

MIN. VOL. 654
PAGE 211

JP

PROBATE COURT, HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE : NO. 176
OF : ENTRY FIXING APRIL 21, 1954,
ETHAN STONE, DECEASED : AS TIME FOR HOLDING OF ELECTION

It appearing to the Court that pursuant to the will of Ethan Stone, deceased, and as set forth in application this date filed by The Fifth Third Union Trust Company, successor Trustee thereunder, an election shall be conducted by said Trustee among the Protestant communicants of former Storrs Township to determine the recipient of certain income from said trust, in each period of ten years; that the last said election was held April 10, 1944, in accordance with an order of this Court; and that said Trustee has ascertained and secured consent among interested parties that said election may be held on April 21, 1954, and that certain locations may be utilized as polling places therefor:

IT IS THEREFORE ORDERED that said The Fifth Third Union Trust Company, successor Trustee, conduct such election on April 21, 1954, making use of the following locations as polling places:

School room - Price Hill Methodist Church - Considine & Phillips Sts., Cincinnati, Ohio; school room - State Avenue Methodist Church, 645 State Avenue, Cincinnati, Ohio; school room - St. Martin's Church, Evangelical Protestant, 2652 River Road, Cincinnati, Ohio.

and that notice thereof be given as provided in decrees of the Common Pleas Court of Hamilton County, Ohio, in Cases Nos. 95351 and A-4904, on April 2, April 9 and April 16, 1954, and of such proceedings to make due report.

NO. 176

PROBATE COURT,
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF

ETHAN STONE, DECEASED

ENTERED

MAY 18 1954

MIN. VOL. 655

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ORDER DESIGNATING RECIPIENT
OF CHURCH FUND

ENTER

Chase M. Daines

PROBATE JUDGE

FILED

MAY 18 1954

CHASE M. DAINES
PROBATE JUDGE & EX-CHIEF CLERK
BY *Carroll*

RK

PROBATE COURT, HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE : NO. 176
OF : ORDER DESIGNATING RECIPIENT
ETHAN STONE, DECEASED : OF CHURCH FUND

This cause coming on to be heard upon the report of The Fifth Third Union Trust Company, successor Trustee under the will of Ethan Stone, deceased, of an election held by said Trustee on April 21, 1954, among the Protestant communicants of former Storrs Township, Hamilton County, Ohio, to determine the recipient of certain income of said trust estate constituting the "Church Fund" for the ten-year period next ensuing from May 1, 1954, pursuant to the provisions of the will of said Ethan Stone, deceased, and in accordance with the orders of this Court and the orders of the Court of Common Pleas, Hamilton County, Ohio, entered in Case No. 95351 and Case No. A-4904, and upon the evidence; and on consideration thereof, the Court finds that due notice of the holding of such election was given by publication in the Cincinnati Times-Star, as required by said orders of Court, and that said election, so held by said Trustee on April 21, 1954, was in all respects properly and fairly held in compliance with the will of said decedent and the aforesaid orders of Court; and the Court further finds that as a result of said election the churches contesting for such designation as recipient of said Church Fund received votes at the respective polling places, as follows:

Polling place at school room of Price Hill Methodist Church,
Considine & Phillips Streets

St. Martin's Church Evangelical Protestant -	10 votes
State Avenue Methodist Church -	8 votes
Price Hill Methodist Church -	227 votes
Total ballots cast -	<u>245</u>

Polling place at school room of State Avenue Methodist Church,
645 State Avenue

St. Martin's Church Evangelical Protestant -	1 vote
Price Hill Methodist Church -	3 votes
State Avenue Methodist Church -	430 votes
Invalid ballots -	4
Total ballots cast -	<u>438</u>

Polling place at school room of St. Martin's Church Evangelical
Protestant, 2652 River Road

St. Martin's Church Evangelical Protestant -	162 votes
State Avenue Methodist Church -	2 votes
Price Hill Methodist Church -	1 vote
Total ballots cast -	<u>165</u>

and that the total votes cast for each of said contesting churches
was as follows:

St. Martin's Church Evangelical Protestant -	173 votes
Price Hill Methodist Church -	231 votes
State Avenue Methodist Church -	440 votes.

The Court further finds that the Methodist Denomination
represented by the State Avenue Methodist Church received the largest
number of votes cast in said election and is therefore entitled to
receive the net Church Fund as provided in said will of Ethan Stone,
deceased, for the ten-year period next ensuing from May 1, 1954.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that said
the State Avenue Methodist Church be, and hereby is designated, as
the proper recipient of the net Church Fund for the propagation of
the Protestant religion in the former Township of Storrs, Hamilton
County, Ohio, for the ten-year period next ensuing from May 1, 1954,
and The Fifth Third Union Trust Company, as successor Trustee, is
hereby directed to pay to said the State Avenue Methodist Church
said net Church Fund arising under said will of Ethan Stone, deceased.

NO. 176

PROBATE COURT,
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF
ETHAN STONE, DECEASED

Collect Costs

TRUSTEE'S REPORT OF HOLDING
ELECTION, APRIL 21, 1954, to
DETERMINE RECIPIENT OF
CHURCH FUND

FILED

MAY 18 1954

CHASE M. DAVIES

Carroll

PROBATE COURT, HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE : NO. 176
OF : TRUSTEE'S REPORT OF HOLDING
ETHAN STONE, DECEASED : ELECTION, APRIL 21, 1954, to
: DETERMINE RECIPIENT OF
: CHURCH FUND

Now comes The Fifth Third Union Trust Company, successor Trustee under the Last Will and Testament of Ethan Stone, deceased, and respectfully represents to the Court that, as provided in said Will of Ethan Stone, deceased, and in accordance with a prior order of this Court and the orders of the Court of Common Pleas of Hamilton County, Ohio, entered in Case No. 95351 and in Case No. A-4904, an election was duly held by said Trustee on April 21, 1954, among the Protestant communicants of former Storrs Township in Hamilton County, Ohio, to determine the recipient of certain income from said trust estate known as the "Church Fund" for the ten-year period next ensuing from May 1, 1954, the last such election having been held April 10, 1944, by which a recipient was designated to receive said income for the ten-year period ensuing from May 1, 1944.

Said Trustee further represents that on April 2, 1954, April 9, 1954, April 16, 1954, for three weeks prior to such election, it caused notice thereof, containing a statement of the hours and polling places of such election, to be given by publication in the Cincinnati Times-Star, a newspaper of general circulation in Hamilton County, Ohio, a copy of which notice is hereto attached and made part hereof; that on April 21, 1954, said Trustee caused said polling places to be opened at the time and at the places mentioned in said notice for the casting of votes by the persons entitled to vote at said election, and supplied each of said polling places with a sufficient number of uniform ballots

OFFICIAL BALLOT

DECENNIAL DESIGNATION ELECTION
ETHAN STONE TRUST CHURCH FUND

Wednesday, April 21, 1954

From 12:00 Noon to 8:00 P. M.

... VOTING PLACES ...

School Room of St. Martin's Evangelical Protestant Church, 2652 Riverside Drive (River Road).

School Room of State Avenue Methodist Church, 645 State Avenue, Corner of Storrs Street.

School Room of The Price Hill Methodist Church, Considine and Phillips St.

I hereby certify that I am a resident of Storrs Township, Hamilton County, Ohio, living at

that I am over the age of fifteen years, and have the right to partake of the Lord's Supper in a Protestant Church in said Township, and do hereby cast my vote for the

Denomination

represented by

Church

(INSERT NAME OF CHURCH)

to receive the income of the Church Trust Fund under the will of Ethan Stone, deceased, for ten years next ensuing.

(SIGN HERE)

THE FIFTH THIRD UNION TRUST COMPANY
Trustee under will of Ethan Stone, deceased.

Signature, address, name of denomination and Church must be written in ink.

SP2-5(LN)
NOTICE TO THE PROTESTANT
COMMUNICANTS OF STORRS
TOWNSHIP OF AN ELECTION
UNDER THE WILL OF
ETHAN STONE, DECEASED
Notice is hereby given that the next
election to determine which denomination
of Protestant Christians in Storrs Town-
ship will receive the fund devised by
Ethan Stone for the support of the
Protestant Religion in said township for
the ten-year period beginning May 1,
1954, will be held on Wednesday, April 21,
1954, from noon until 8 o'clock P. M. in
the following polling places.
In the school room of the Price Hill
Methodist Church, Considine and
Phillips Streets, Cincinnati, Ohio.
In the school room of the State
Avenue Methodist Church, 645 State
Avenue, Cincinnati, Ohio.
In the school room of the St.
Martin's Church, Evangelical Protes-
tant, 2652 River Road, Cincinnati,
Ohio.
THE FIFTH THIRD
UNION TRUST CO.
Trustee under the Will of Ethan Stone,
deceased.

prepared under the direction of this Court, a copy of said ballot being attached hereto and made a part hereof, and also supplied to such polling places necessary accessories for the marking of said ballots; that said Trustee selected and appointed three proper persons at each of said polling places mentioned in said notice to serve as judges of said election, and that said judges in turn selected and appointed two proper persons at each of said polling places to serve as clerks of said election, all as provided in the aforesaid orders of Court; that such election, so held, resulted in votes being cast as follows, as more fully appears from the poll books and certifications of the judges and clerks of said election:

Polling place at school room of Price Hill Methodist Church,
Considine & Phillips Streets

St. Martin's Church Evangelical Protestant -	10 votes
State Avenue Methodist Church -	8 votes
Price Hill Methodist Church -	227 votes
Total ballots cast -	<u>245</u>

Polling place at school room of State Avenue Methodist Church,
645 State Avenue

St. Martin's Church Evangelical Protestant -	1 vote
Price Hill Methodist Church -	3 votes
State Avenue Methodist Church -	430 votes
Invalid ballots -	4
Total ballots cast -	<u>438</u>

Polling place at school room of St. Martin's Church Evangelical
Protestant, 2652 River Road

St. Martin's Church Evangelical Protestant -	162 votes
State Avenue Methodist Church -	2 votes
Price Hill Methodist Church -	1 vote
Total ballots cast -	<u>165</u> ;

and that the total ballots cast in favor of each of said contesting churches is therefore as follows:

St. Martin's Church Evangelical Protestant -	173 votes
Price Hill Methodist Church -	231 votes
State Avenue Methodist Church -	440 votes

WHEREFORE, said Trustee prays the Court to determine and designate the proper recipient of said Church Fund for the propagation of the Protestant religion in said former Township of Storrs, Hamilton County, Ohio, as provided under said Will of Ethan Stone, deceased, for the ten-year period next ensuing from May 1, 1954, and for all other necessary and proper orders in the premises.

THE FIFTH THIRD UNION TRUST COMPANY,
successor Trustee under the last will
of Ethan Stone, Deceased

By *John E. Goyert*
John E. Goyert, Trust Officer

STATE OF OHIO
COUNTY OF HAMILTON:SS:

John E. Goyert, being first duly sworn, says that he is a Trust Officer of The Fifth Third Union Trust Company, successor Trustee under the last will of Ethan Stone, deceased, and that the facts stated in the foregoing report of Trustee are true, as he verily believes.

Sworn to before me and subscribed in my presence this 18th
day of May, 1954.

BOOTH SHEPARD
NOTARY PUBLIC, STATE OF OHIO
My Commission Expd. 22 _____

Booth Shepard
Notary Public, State of Ohio

NO. 176

PROBATE COURT,
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE
OF
ETHAN STONE, DECEASED

APPLICATION FOR AUTHORITY
TO SELL AND RELEASE RIGHT
TO GROUND RENT

FILED

JUN 2 - 1954

CHASE M. DAVIES
PROBATE JUDGE & EX-OFFICIO CLERK
BY *Carroll*

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PROBATE COURT, HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE : NO. 176
OF : APPLICATION FOR AUTHORITY
ETHAN STONE, DECEASED : TO SELL AND RELEASE RIGHT
: TO GROUND RENT
:

Now comes The Fifth Third Union Trust Company, successor Trustee under the will of Ethan Stone, deceased, and respectfully represents to the Court that as such Trustee it is successor-lessor of the premises hereinafter described, and is entitled to receive an annual rent of \$24.00 reserved under a certain perpetual lease from said Ethan Stone to Christopher Mohr, dated 9/22/1845 and recorded in Lease Book 2, page 508 of the Hamilton County land records, said leased premises being described as follows:

Situate in the City of Cincinnati, Hamilton County, Ohio, and lying and being in Section 29, Town 4, Fractional Range 1, Storrs Township, and more particularly described as follows:

Beginning at the intersection of the northerly line of River Road and the westerly line of State Avenue; thence South 39° 19' West along the northerly line of River Road, 55.17 feet; thence North 47° 03' West, 68.81 feet; thence South 88° 28' 30" East, 83.46 feet to the westerly line of State Avenue; thence South 43° 33' 30" East along said westerly line 2.74 feet to the place of beginning.

Being the same premises described in deed recorded in Deed Book 2228, page 288 of the land records of Hamilton County, Ohio;

that Elnora Foster is successor-lessee of said premises by virtue of deed dated 3/10/47 and recorded in Deed Book 2228, page 288 in said land records of Hamilton County, and as such is obliged to pay said annual rent reserved, and all taxes and assessments thereon; that the said Elnora Foster has made a bona fide offer to said Trustee to purchase all of the Trustee's right, title and interest in and to said premises for the sum of Nine Hundred Sixty Dollars (\$960.00), and to pay the costs of this proceeding

and attorney's fees; and that, in the opinion of said Trustee, it is in the best interests of the trust estate to accept such offer, to release such interest in said premises by proper quitclaim to the purchaser, and to reinvest the proceeds thereof according to law.

WHEREFORE, The Fifth Third Union Trust Company, Trustee as aforesaid, prays the direction of the Court in the premises and for an order authorizing and directing said Trustee to accept said offer and to execute its deed of quitclaim to the aforesaid real estate.

THE FIFTH THIRD UNION TRUST COMPANY,
successor Trustee under the last will
of Ethan Stone, Deceased

By *John E. Goyert*
John E. Goyert, Trust Officer

STATE OF OHIO :
COUNTY OF HAMILTON:SS:

John E. Goyert, being first duly sworn, says that he is a Trust Officer of The Fifth Third Union Trust Company, successor Trustee under the last will of Ethan Stone, deceased, and that the facts stated in the foregoing application are true, as he verily believes.

John E. Goyert
Sworn to before me and subscribed in my presence this 28
day of May, 1954.

BOOTH SHEPARD
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires

Booth Shepard
Notary Public State of Ohio