

6076

PROBATE

Second District Court

WEBER COUNTY, UTAH

In Re *Estate of*

Hyrum Belnap

Deceased

Filed *Sept. 26th*, 1938

Hyrum A. Belnap

Attorney-for

6076

IN THE DISTRICT COURT OF WEBER COUNTY UTAH

M

IN THE MATTER OF THE)
ESTATE OF)
HYRUM BELNAP,)
deceased.)

No. 6076

PETITION FOR LETTERS OF ADMINISTRATION

WITH THE WILL ANNEXED.

To the HONORABLE COURT, aforesaid:

The petition of Arias G. Belnap and Hyrum A. Belnap respectfully represents:

That Hyrum Belnap dies on or about the 18th day of September 1938 in Weber County, Utah; and that at the time of his death he was a resident of said county and left therein an estate of real and personal property.

That said deceased left a last will and testament which is herewith presented to this court for probate.

That your petitioners are heirs under said will and testament and that said deceased neglected to name an executor of said will.

That the names, ages, and residence of the heirs of said decedent are as follows:

- Flora Belnap, over twenty one, 2942 Pingree Ave. Ogden Utah,
- Marion B. Kerr, " " " , 132 University St. Salt Lake C. Ut.
- Olive B. Jenson " " " , 2403 Harrison Blvd. Ogden Utah.
- Hyrum A. Belnap " " " , 2267 Harrison " Ogden Utah
- ✓ Dr. H. Earl Belnap " " " , Sparks, Nevada.
- ✓ Arias G. Belnap " " " , 1111--21st Street Ogden Utah
- ✓ Volney B. Belnap " " " , 918--21st Street Ogden Utah
- ✓ Jewell A. Furniss, " " " , Ammon, Idaho
- ✓ Della Belnap " " " , 2149 Madison Ave. Ogden Utah
- ✓ Gladys Carwin, " " " , 3523 Adams Ave, Ogden, Utah
- ✓ Byron K. Belnap " " " , 904--21st Street Ogden Utah.

That the total value of said estate does not exceed \$10,000.00.

That said estate consists of the residence of the decedent 140 shares of stock of the Hyrum Belnap Company Inc. and 81 unimproved lots more or less; that the yearly rental is not over \$2700.00.

WHEREFORE your petitioners pray that said will be admitted to probate, and that Letters of Administration with the will annexed be issued to your petitioners; that for such purpose a time for proving said will be appointed, and that all persons interested be notified and directed to appear at the appointed time; and that all other necessary orders be made in the premises.

Arias G. Belnap
Hyrum A. Belnap

State of Utah,)
) SS.
County of Weber.)

Arias G. belnap, being first duly sworn, says:

I am one of the foregoing petitioners asking for letters
of administration with the will annexed.

I have read the foregoing petition and know the contents there-
of and the same is true except as to matters stated therein on
information and belief and as to those matters I believe it to be true.

Arias G. belnap

Subscribed and sworn to before me this 26th day of September 1938.

Commission expires Sept 12 - 1941

L. M. Malan

Notary Public.

Res. Ogden Utah

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE ESTATE OF

HYRUM BELNAP

Deceased.

THE PETITION OF

#6076

NOTICE

Arias G. Belnap and Hyrum A. Belnap, praying for the admission to probate of a certain document purporting to be the Last Will and Testament of decedent; for the appointment of themselves as administrators with-the-will-annexed, and that Letters of Administration, with-the-will-annexed thereon be issued to them,

in the above entitled matter,

has been set for hearing before Hon. EUGENE E. PRATT, Judge on Monday
the 10th day of October, 1938, at 10 o'clock A. M.,
at the County Court House, in the court room of said court, in Ogden City, Weber
County, Utah.

Witness, the Clerk of said Court, with the seal thereof affixed,

this 28th day of September, 1938

LAWRENCE M. MALAN, Clerk

Hyrum A. Belnap, Esq.,
Attorney for Petitioner.

By Mal E Brammley
DEPUTY CLERK

In the District Court of Weber County
STATE OF UTAH

ESTATE OF

HYRUM BELNAP

Deceased.

#6076

AFFIDAVIT OF MAILING AND
POSTING NOTICES

STATE OF UTAH, } ss.
County of Weber, }

A. M. Allen

of Ogden City, in the said County of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the 28th day of September, 1938, he served notice of the time and place of hearing the petition of Arias G. Belnap and Hyrum A. Belnap, praying for the admission to probate of a certain document purporting to be the last will and testament of decedent; for the appointment of themselves as administrators with the will annexed, and that Letters of administration with the will annexed be issued to them

in the above entitled matter,

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

Flora Belnap	2942 Pingree Ave., Ogden, Utah
Marion B. Kerr	132 University St., Salt Lake City, Utah
Olive B. Jenson	2403 Harrison Blvd., Ogden, Utah
Hyrum A. Belnap	2267 Harrison " Ogden, Utah
Dr. H. Earl Belnap	Sparks, Nevada
Arias G. Belnap	1111 21st St., Ogden, Utah
Volney B. Belnap	918 21st St., Ogden, Utah
Jewell A. Furniss	Ammon, Idaho
Della Belnap	2149 Madison Ave., Ogden, Utah
Gladys Carwin	3523 Adams Ave., Ogden, Utah
Byron K. Belnap	904 21st St., Ogden, Utah

And by publication in the Ogden Standard Examiner pursuant to an order of this court heretofore made.

And deponent further says that on said 28th day of September A. D. 19 38 he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be the most likely to reach the parties interested, to-wit:

One of said notices at the front door of the Court House, in Ogden City, Utah, the same being the place where the said District Court is held.

One notice at the City Hall Park, in Ogden City, Utah, at the North-east corner thereof.

One notice at the South-east corner of the Postoffice Building, in Ogden City, Utah, off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the
28th day of September, 1938

A M Allen
LAWRENCE L. MALAN, Clerk

By *Mar E. Bramwell*, Deputy

IN THE
DISTRICT COURT OF WEBER COUNTY

STATE OF UTAH

M

L.R.

6076

In the Matter of the Estate of

Hyrum Delnap
Deceased.

ORDER

The petition of *Aras G. Delnap and Hyrum A. Delnap*
praying for *Letters of Administration with the will annexed*

filed herein on the *26th* day of *September*, 19*38*, is set
for hearing, in Department *#2* of said court, on Monday, the *7th*
day of *October*, 19*38*, at *10:00* o'clock *A*. M.; notice thereof

to be given by mailing such notice to each of the heirs
of the decedent, whose names and places of residence appear in said petition, at least ten days before
the day of hearing, and by publishing such notice twice, the first publication of which shall be at least
ten days before the day of hearing, and the last publication of which shall be not later than the Satur-
day immediately preceding the day of hearing, in *Standard Examiner*
a newspaper published at Ogden City, in Weber County, and having general circulation in said county;
and by posting notices thereof in three public places in Weber County as required by law, and as pre-
scribed by the rules of this court.

Dated: *Sept. 26*, 193*8*

LAWRENCE M. MALAN, Clerk,
Judge x
By *Mae E. Ramsey*
Deputy Clerk

IN THE DISTRICT COURT
of Weber County, State of Utah

In the Matter of the Estate of

Hyrum Delnap

Deceased

Affidavit of Publication
of Notice of petition *v.l.b.*

6076

STATE OF UTAH } ss.
County of Weber }

A. L. Chase, being first

duly sworn, deposes and says:

That he is a citizen of the United States, over the age of eighteen years, and not interested in the above entitled matter; that he is the principal clerk of The Ogden Standard-Examiner, which is, and was at the times of publication hereinafter mentioned, a newspaper of general circulation in said County and State; printed and published daily therein at Ogden City, that the notice of petition

a printed copy of which is hereto annexed, was published in said newspaper twice
Viz: on the 28th of September and on the 7th of October

193 8

in every number of the regular issue of the said newspaper at times of publication as above specified, under the heading: "PROBATE AND GUARDIANSHIP NOTICES, CONSULT COUNTY CLERK OR THE RESPECTIVE SIGNERS FOR FURTHER INFORMATION," and as far as possible in one column in the alphabetical order of the surnames of decedents and awards.

A. L. Chase
Subscribed and sworn to before me this 8th day of
October 193 8

A. J. Gale
Notary Public.



IN THE DISTRICT COURT OF WEBER COUNTY UTAH

IN THE MATTER OF THE)
ESTATE OF)
HYRUM BELNAP,)
Deceased.)

h.B.

No. 6076
NOMINATION OF ADMINISTRATORS
BY HEIRS.

To the HONORABLE COURT aforesaid :

We, the undersigned, hereby nominate Arias G. Belnap and Hyrum A. Belnap, and join in their petition asking the Court to appoint them as Administrators, with the will annexed, of the estate of our beloved father, Hyrum Belnap, now deceased.
Dated October 6 1938.

Earl Belnap M.D.

HEIRS

State of Nevada)
County of Washoe) SS.

On the 6 day of October 1938, personally appeared before me *the undersigned* H. Earl Belnap, M. D. the signer of the above instrument, who, duly acknowledged to me that he executed the same.

It witness whereof I have hereunto set my hand and affixed my official seal the day and year last above written.

Madelaine S. Huber

Commission expires Sept 15, 1940

Notary Public

Residence 35 Ridge St
Reno, Nevada

IN THE DISTRICT COURT OF WEBER COUNTY UTAH

IN THE MATTER OF THE)
ESTATE OF)
HYRUM BELNAP,)
Deceased.)

No. 6076

NOMINATION OF ADMINISTRATORS

BY HEIRS.

To the HONORABLE COURT aforesaid :

We, the undersigned, hereby nominate Arias G. Belnap and
Hyrum A. Belnap, and join in their petition asking the Court to
appoint them as Administrators, with the will annexed, of the
estate of our beloved father, Hyrum Belnap, now deceased.

Dated October 1928.

Arias G. Belnap
Hyrum A. Belnap
Della Belnap
Gladys Belnap Carwin
HEIRS

State of Utah)
County of Weber) SS.

On the 17th day of October 1928, personally appeared
before me _____

the signers of the above instrument, who, duly acknowledged to me
that they executed the same.

In witness whereof I have hereunto set my hand and affixed my
official seal the day and year last above written.

L. M. Malan

Commission expires Sept 12 - 1941

Notary Public
Residence Ogden - Utah

IN THE DISTRICT COURT OF WEBER COUNTY UTAH

IN THE LATTER OF THE)
ESTATE OF)
HYRUM BELNAP,)
Deceased.)

No. 6076

NOMINATION OF ADMINISTRATORS
BY HEIRS.

To the HONORABLE COURT aforesaid :

We, the undersigned, hereby nominate Arias G. Belnap and
Myrum A. Belnap, and join in their petition asking the Court to
appoint them as Administrators, with the will annexed, of the
estate of our beloved father, Myrum Belnap, now deceased.
Dated October 1978.

Jewel Belnap Furniss

H E I R S

State of Idaho)
County of Bonneville) SS.

On the 7 day of October 1978, personally appeared
before me Jewel Belnap Furniss
the signer of the above instrument, who, duly acknowledged to me
that she executed the same.

In witness whereof I have hereunto set my hand and affixed my
official seal the day and year last above written.

Commission expires 2/12/79.

Louise Keefe
Notary Public
Residence Idaho Falls
Ida.

IN SENATE

BY SENATE

RESOLUTION

OF THE

SENATE

1926

RESOLUTION

OF THE

TO THE HONORABLE SENATE

the undersigned, hereby nominate Maria G. Belnap and Byron A. Belnap, as joint in their petition asking the court to appoint them as Administrators, with the will annexed, of the estate of our beloved father, Byron Belnap, now deceased, dated October 1926.

Marion Belnap Kerr
Clive B. Jensen

BEFORE

State of Utah
County of Weber

On the 5th day of October 1926, personally appeared before me Marion Belnap Kerr, and Clive B. Jensen the signer of the above instrument, who duly acknowledged to me that he executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year last above written.

Commission Expires Sept 25 29
Notary Public
Residence

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE :
ESTATE OF : AFFIDAVIT OF
HYRUM BELNAP, : IMPECUNIORITY
Deceased. :

State of Utah :
County of Weber : ss

Flora Belnap, being first duly sworn, deposes and
says:

That she is unable to bear the expense of the action
she is about to commence, to-wit: Objection to appointment of
Personal administrators with will annexed and Petition for
Appointment of corporate administrator with will annexed.

Subscribed and sworn to before me this
24th day of October, 1938.

D. J. [Signature]
Notary Public

Flora Belnap

Residing at Cedar Breaks

My Commission Expires:

July 27 1942

IN THE DISTRICT COURT OF THE STATE OF UTAH
Second Judicial District
IN AND FOR THE COUNTY OF WEEBER

6076 + R
6076

IN THE MATTER OF THE ESTATE : OBJECTION TO APPOINTMENT
 : OF PERSONAL ADMINISTRATORS
 : WITH WILL ANNEXED AND
OF : PETITION FOR APPOINTMENT
HYRUM BELNAP, : OF CORPORATE ADMINISTRATOR
 : WITH WILL ANNEXED.
Deceased.

Comes now Flora Belnap and hereby objects to the petition of Arias G. Belnap and Hyrum S. Belnap praying for the admission to probate of a certain document purporting to be the last will and testament of the decedent above named, and for the appointment of themselves as administrators with will annexed of the estate of said deceased and for grounds of objection alleges:

1. That there is no widow surviving the said Hyrum Belnap, deceased, and that your objector herein is the eldest surviving child of said deceased.
2. That the petition of Arias G. Belnap and Hyrum A. Belnap, for the appointment of themselves, as administrators with the will annexed of said estate, has not been consented to by this objector and, this objector is informed, by certain other members of the family.
3. That as between this objector and the said petitioners above named and other members of the family, there is a very fixed and definite difference of opinion as to the actual property rights involved in said estate, and as to the manner in which said estate should be handled and disposed of - for example: In that certain instrument signed by deceased, dated the 10th day of September 1927, it was provided that by reason of the deceased turning to his second family certain property that the members of the first family should have from said estate, before anything further was distributed to the second family the sum of \$16,500 should be

distributed to the members of the first family; that when said contract was drawn to carry out such provision the entire matter was made very uncertain by reason of the fact that the figures \$16,500 were used in one place and the figures \$15,600.00 were used in another; that your objector is informed and believes and therefore states the fact to be that the amount should be \$16,500.00; that your objector is also informed and believes, and therefore states the fact to be, that the two above named petitioners are of the opinion that the sum should be \$15,600.00.

4. That by reason of the fact that there are two families, and that certain advances have been made by deceased to different members of each family; that members of the second family disagree with Arias G. Belnap on property rights, this objector is of the opinion, and states the fact to be, that the two above named petitioners should not be named administrators with will annexed of said estate; but instead thereof that a corporate administrator with will annexed should be named administrator of said estate.

5. That it is the petition of the above objector that First Security Bank of Utah, at Ogden, Utah, be appointed administrator with will annexed, because in the opinion of this objector, it is for the best interests of said estate and the conservation thereof, and for each and every person interested in said estate that said First Security Bank of Utah be appointed administrator with will annexed of said estate.

6. That these objections and this petition are filed pursuant to Section 102-3-16, RSU 1933.

WHEREFORE, this objector prays that this court deny the petition of Arias G. Belnap and Hyrum A. Belnap for the appointment of themselves administrators with will annexed of said estate, and that the court instead name and appoint First Security Bank of Utah, at Ogden Utah, as administrator with will annexed of said estate.

H. G. Belnap
Objector

State of Utah :
County of Weber : ss

Flora Belnap, being first duly sworn, deposes and says:

That she is the objector above named; that she has read the foregoing petition, knows the contents thereof, and that the same is true of her own knowledge, except as to matters therein stated on information and belief, and as to those matters therein stated on information and belief, she believes it to be true.

Flora Belnap

Flora BELNAP

Subscribed and sworn to before me this 24th day of October,

1938

D. J. [Signature]

Notary Public residing at Ogden, Utah.

My Commission Expires:

July 27 1942

IN THE DISTRICT COURT OF WEBER COUNTY UTAH

IN THE MATTER OF THE ESTATE)
OF)
HYRUM BELNAP,)
Deceased.)

L.R.
No. 6076

Motion to strike
OBJECTION TO PETITION

Comes now the petitioners herein, Arias G. Belnap, and Hyrum A. Belnap, and move the court for an order striking the objection of Flora Belnap to their petition, from the files and renewing the prayer of their petition asking the court to appoint them as administrators with the will annexed of the above entitled estate.

This motion is made upon the following grounds to wit:

1. That said objection does not comply with Sec. 102-3-16 of the Laws of the State of Utah for 1928.
2. That it does not state facts sufficient to constitute an objection as set forth in Sec. 102-3-15. of 1928 Revised laws.
3. That said objection is not in accordance with Sec. 102-4-4 of Revised Laws of Utah for 1928.
4. That said objection does not comply with Sec. 102-4-3 of the Revised Laws of Utah for 1928.
5. That the petition of Arias G. Belnap and Hyrum A. Belnap on file herein are in compliance with 102-4-9; 102-4-13; 102-4-4; and 102-3-15 of the Revised Laws of Utah for 1928.

WHEREFORE, your petitioners pray that the objection of Flora Belnap be stricken from the files and that the petition of Arias G. Belnap and Hyrum A. Belnap be forthwith granted.

State of Utah,)
County of Weber.) ss.

Arias G. Belnap
Hyrum A. Belnap

Hyrum A. Belnap, being first duly sworn says, I am one of the above petitioners and make this verification on behalf of both of us. I have read the foregoing petition and the same is true.

Hyrum A. Belnap

Subscribed and sworn to before me this 5th day of December 1928.

Com. expires April 17 1929.

Margaret Roberts
Notary Public

Res. Ogden Utah.

IN THE DISTRICT COURT OF WEBER COUNTY, UTAH

In the matter of the Estate of
HYRUM BELNAP,
Decessed

v R
6076

I, Flora Belnap, hereby
request the court to appoint
administrators or administrators
immediately in the above entitled
matter.

Dated Nov. 28, 1908
At Ogden, Utah

Flora Belnap.

No. 6076 *r R*
IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
WITHIN AND FOR THE COUNTY OF WEBER, STATE OF UTAH

IN THE MATTER OF THE ESTATE :
OF : CREDITOR'S CLAIM
HYRUM BELNAP, :
Deceased. :

Claim based on 102-9-5 Revised Laws of Utah for 1933
See deed recorded by Hyrum Belnap, Oct. 27, 1931, Book of
Deeds, p. 115, Weber County, Utah to Flora Belnap, Marion Belnap-
Kerr, Olive Belnap-Jenson and Hyrum A. Belnap, surviving children
of Christiana R. Belnap, to the home occupied by said family
since October, 1890, to-wit:

A part of Lot Nine(9) Block Forty-three(43), Plat A. Ogden, Utah,
Beginning at the S E cor. of said lot and running thence No. Four(4)
rods, thence West Ten(10) rods; thence So. 4 rods; thence East
10 rods to the place of beginning.

In the summer of 1936 when Hyrum Belnap's second family,
with whom he had made his abode for 6 previous years, had left him without
the necessary care and attention in the last of several homes he had
provided for them - due to his old age and pursuant to a definite
agreement by Hyrum Belnap, that the above children would deed the
above named premises to Hyrum Belnap, and that he would always maintain
a home there and always support Flora Belnap, the above named
children gave to Hyrum Belnap their deed to the above named property,
Oct. 6, 1936, recorded in Book of Deeds 122, p. 566, Weber County,
Utah. Flora Belnap secured profitable and desirable tenant for the
benefit and comfort of her father and, faithfully performed all
duties for his comfort and benefit.

In April 1937, without the knowledge or consent of affiant,
her personal effects were removed from said home by Hyrum A. Belnap,
as affiant was informed.

In June 1937, the tenant, P. C. Stephenson was offended by
Hyrum Belnap and vacated.

The following note was given:

Ogden, Utah March 29, 1937

To Marion, Olive, Hyrum:

You go ahead and get an apartment in Salt Lake City or at
her house 2942 Pingree or some place else and I will take care of it
and pay whatever is consistent and reasonable.

I'll let Hyrum deal with her for me,

(Signed) H. Belnap

State of Utah : ss

County of Weber :

This is to certify that her in the second line of the
above means Flora Belnap. I further certify that this document
was signed in my presence by H. Belnap on Mar. 29, 1937.

(Signed) Hyrum A. Belnap.

Subscribed and sworn to before me this 30 day of
March, 1937. E. N. Ballantyne

(SEAL)

Notary Public.

Com. expires Jan. 8, 1938

Due from Hyrum Belnap of his estate
from March 29, 1937 to Dec. 9, 1939 \$610.00

Plus further amounts accruing till distribution of
estate of Hyrum Belnap

In summer of 1938 when Flora Belnap collected much more
genealogy on the Belnap line, Hyrum Belnap gave Flora
Belnap \$20.00, not stating for what purpose.

A very few groceries occasionally (insufficient for
the needs of any individual) were given her. No clothing
or other necessities, including medical attention were
ever supplied by Hyrum Belnap to affiant. *A loan of food was given affiant.*

State of Utah :

County of Weber : ss

Flora Belnap, whose claim is herewith presented to the ad-
ministrators of the estate of Hyrum Belnap, deceased and to the

court herein, being duly sworn, on her oath, says that the amount thereof, to-wit \$610 (Six Hundred Ten Dollars) plus amounts accruing in the above matter is justly due and may become due to said claimant.

Flora Belnap

Subscribed and sworn to before me this 7th day of

Dec. 1938

my com. expires June 23 1941

Wes Frank - Notary Public

Foregoing claim approved (\$ for 180.00)

One Hundred Eighty Dollars, this 28 day of Jan

1939

Wes Frank
Administrator

Wes Frank

Judge.

In the District Court of the Second Judicial District
In and for the County of Weber, State of Utah

11 18
6076

ESTATE OF

Wynum V Delnap } Order Appointing Administrators
Deceased.

The petition of W V Delnap and H A Delnap praying for
issuance of letters of administration of the estate of Wynum V Delnap
deceased, to the above
entitled estate, coming on regularly to be heard

on the 28th day of Nov, 1938, and due proof having been made to the
satisfaction of the Court that due and legal notice of the hearing of said petition has been
given by the clerk of this Court, and it having been proven by the oath of

Arias S. Delnap that the said Wynum Delnap
of Ogden Utah, died on the 18th day of Sept, 1938
estate in the County of Heber, State of Utah;

that he was a resident of the County of Heber, State of Utah
at the time of his death, and that he has left an estate in the County of Heber
State of Utah, and within the jurisdiction of this Court; that the said W V Delnap and
H A Delnap are

legally competent to act as such administrat.ors., and no person
appearing to contest the application of the said petitioner;

IT IS ORDERED, That Letters of Administration, with the will annexed
of the estate of said Wynum V Delnap deceased.
issue to the said Arias S. Delnap and Wynum A Delnap upon

their taking the oath and filing a bond according to law in the penal
sum of sixteen thousand and no DOLLARS
twenty company
if a corporate surety bond, or in the sum of sixteen thousand and no
DOLLARS

if a personal surety bond is given.

Dated Nov. 28, 1938

Raymond E. Smith
Judge

Holograph and Inter Vivos Will

#6076 + B

Ogden Utah May 5 - 1932

Know all men by these presents that I, Hyrum V Belnap do by these presents revoke and set a side all prior promises or written wills pertaining to my estate after I am dead.

However this does not revoke written contracts signed by both sides of said contract that is by my self and those making promises.

I do this day desire my property and assets to go to my children, each one to have an equal part with the other, at my death.

The children now living are Flora V Belnap, Marion A Belnap, Kerr, Olive Belnap, Johnson, Hyrum A Belnap, W. Earl Belnap, Alias G. Belnap, Volney, S. V Belnap, Jewel Belnap, Truman, Delta A Belnap, Gladys Belnap and Byron H. Belnap.

Should I at any time hereafter get married this wife shall be cared for by the income of my property and my savings in connection with my self.

Should I die before she does, said estate of mine shall care for her so long as she lives, however at her death, all of my estate shall go to my children or children that may come to me.

Hyrum V Belnap

FILED
DEC 2 1932
CLERK OF DISTRICT COURT
SALT LAKE CITY

IN THE DISTRICT COURT OF WEBER COUNTY

STATE OF UTAH

cc
12-5-38

#6076
r B

ESTATE OF

Hyrum Belnap
DECEASED.

Letters of Administration with the Will Annexed.

STATE OF UTAH, }
County of Weber, } ss.

The last will of *Hyrum Belnap* deceased
a copy of which is hereto annexed, having been proved and recorded in the District Court in and for the County of
Weber, and there being no executor named in the will *Aras H. Belnap*
and *Hyrum H. Belnap* are
* hereby appointed administrators, with the will annexed.

WITNESS LAWRENCE M. MALAN Clerk of the District
Court, in and for the County of Weber.

Dated the 5th day of December 1938

By order of the Court.

LAWRENCE M. MALAN Clerk.
By *Mar E. Bramwell* Deputy.

STATE OF UTAH, }
County of Weber. } ss.

we *we*
I do solemnly swear that I will support the Constitution of the United States, and of this
State and will faithfully perform according to law, the duties of administrator, of the es-
tate of HYRUM BELNAP, deceased.

Subscribed and sworn to before me this 5th day of December 1938

Aras H. Belnap
Hyrum H. Belnap
LAWRENCE M. MALAN Clerk.
By *Mar E. Bramwell* Deputy.

#6976

Ogden, Utah,
March 29th 1937,

To Marion
Olive
Hyrum.

You go ahead and get an apartment in Salt Lake City
or at her house at 2942 Pingree or some place else and I will
take care of it and pay whatever is consistant and reasonable.

I'll let Hyrum deal with her for me,

(Signed) H. Belnap

State of Utah :
County of Weber : ss

This is to certify that her in the second line of the above
means Flora Belnap. I further certify that this document was
signed in my presence by H. Belnap on Mar. 29, 1937.

Hyrum A. Belnap

Subscribed and sworn to before me this 30th day of March 1937.

(SEAL) E N' Ballantyne
Com. expires Jan. 8, 1938 Notary Public.

AFFIDAVIT

State of Utah :
County of Weber : ss

Marjorie Robson being first duly sworn, deposes
and says:

That she has read the foregoing instrument
and that she hereby certifies that it is a true and correct
copy of the original instrument.

Marjorie Robson
Notary Public.
Subscribed and sworn to before me this 12th day of
December, 1938.

My Commission Expires: April 17, 1942.

Monday, Dec. 5th, 1938

Judge, Eugene E. Pratt

In the Matter of the Estate

of #8076

Hyrum Belnap, Deceased.

Herein comes on to be heard the petition of Hyrum A. Belnap, et al, for issuance of Letters of Administration, and certain objections thereto; Hyrum A. Belnap, Esq., appearing as counsel for petitioners, and objector, Flora Belnap, appearing in her own behalf.

Thereupon, counsel for petitioners moves the court to strike objections herein, which motion is submitted and by the court granted.

Whereupon, Arias G. Belnap is duly sworn and testifies in behalf of petitioners; and the cause being submitted, it is ordered by the court that Letters of Administration issue to Hyrum A. Belnap and Arias G. Belnap, upon their taking the oath and giving bond in the sum of \$16,000.00 if with personal sureties, or in the sum of \$9,000.00 if with a corporate surety, as prescribed by law.

In the District Court of Weber County
State of Utah

12
6076

ESTATE OF

Sydney Delnap
DECEASED

Order Appointing Appraisers

Upon motion of

Sydney A. Delnap

Counsel for

the within named administrators, it is hereby ORDERED that
Rulon Garner, Franz A. Behling,
and Robert Woods

three disinterested and competent persons be and they are hereby appointed appraisers of the
estate of *Sydney Delnap*, Deceased,

Dated

Dec. 8, 193*9*

Lewis V. Trueman
Judge.

IN THE DISTRICT COURT OF WEBER COUNTY UTAH

IN THE MATTER OF THE)
 ESTATE OF) No. 6076
 HYRUM BELNAP,) FIRST AND FINAL ACCOUNT AND
 Deceased.) REPORT OF ADMINISTRATION.

To the HONORABLE Court aforesaid:

Arias G. Belnap, and Hyrum A. Belnap, as administrators, with the WILL annexed, of the estate of Hyrum Belnap, now deceased, herewith respectfully present their account and report of his administration, as follows, to wit:

THEY CHARGE THEMSELVES WITH :

Cash in savings-account-----	\$1798.05	
Cash in checking account-----	767.53	
Rents collected up to Oct. 31, 1938-----	344.65	or total cash \$2910.23
Improved and unimproved real property-----		1200.00
Stock in Strongs Canyon Water Co.-----		192.25
140 shares of stock in the Hyrum Belnap Co. Inc.-----		5600.00
104 shares of stock in the Hyrum Belnap Water Co. no value		
Total-----		<u>\$9902.48</u>

THEY CREDIT THEMSELVES WITH :

Expenses of last illness-----	\$204.55
Funeral expenses-----	275.48
Filing fee in this matter and in termination of life estate	14.00
Premium on bond fixed by the court-----	55.00
Notice of petition \$2.00 and in termination \$3.40. or -----	6.40
Notice of termination of life estate in newspaper-----	22.00
Notice to creditors-----	6.00
Taxes paid-----	1073.47
Claims filed, allowed, and paid-----	250.65
Miscellaneous expenses-----	19.80
Inventory and Appraisement-----	10.00
Fee to A. G. Belnap as administrator-----	100.00
Fee to H. A. Belnap as administrator-----	100.00
Attorney fee for contest-----	50.00
Balance in hands of administrators.-----	<u>\$7615.13</u>
Total-----	<u>\$9902.48</u>

REPORT OF ADMINISTRATION :

Said administrators respectfully report of their administration to this honorable court, as follows, to wit:

That Letters of Administration, with will annexed, of said estate were issued to them on the 5th day of December 1938.

That immediately after their appointment, they caused notice to Creditors to be published in the Standard-Examiner, a newspaper published in said County.

that the claims of Flora Belnap, an unmarried daughter of the deceased, The Utah Power & Light Co., the Ogden City Waterworks Department, and the Wilkinson Farm Supply Co. were duly presented to your petitioners, accompanied by proper affidavits, and supported by satisfactory vouchers, and allowed by them and by the judge of this court as claims representing small claims for the month the deceased was in the Hospital and unable to attend to them.

WHEREFORE, your petitioners pray that the court appoint a day for the hearing and settlement of this account and report, and that on the day appointed said account be allowed and settled by the court.

February 28, 1929.

Arias G. Belnap
Hyrum A. Belnap

Administrators
with will annexed.

State of Utah,)
) SS.
County of Weber.)

Arias G. Belnap and Hyrum A. Belnap, being first duly sworn, say:

We are the administrators, with will annexed, of the estate of Hyrum Belnap, deceased. The foregoing account filed for the first and final account of our administration of said estate, is in all respects just and true, and according to the best of our knowledge, information and belief, and contains a full, true, and particular account of all our receipts and disbursements on account of the said estate from the commencement of our administration till the 21st day of October 1928 when the life estate of the deceased terminated in the Hyrum Belnap Company Inc., a Utah Corporation, which at that time took over the rents and profits rightfully belonging to it. This is a true and correct report of all sums of money belonging to said estate which have been received by us, or any other person by our order, or authority, for our use; and of all claims presented, allowed and paid, and we do not know of any error or omission in said account to the prejudice of any person interested in this estate.

Subscribed and sworn to before me
this 6 day of February
1929.

S. M. ...
Notary Public res. Ogden Utah.

Arias G. Belnap
Hyrum A. Belnap

In the District Court of the Second Judicial District
IN AND FOR THE COUNTY OF WEBER, STATE OF UTAH

ESTATE OF

HYRUM BELNAP,
Deceased.

6076
Inventory and Appraisement

I, _____ County Clerk of the County of
Weber, State of Utah, and ex-officio Clerk of the above named Court, do hereby certify that
Franz A. Behling, Rulon Garner, and Herbert Woods,
were duly appointed Appraisers of the estate of HYRUM BELNAP
deceased, by order of the said District
Court, duly entered on the 6th
day of March, 1939.

WITNESS my hand and the seal of said District Court, this
6th day of March, 1939.
LAWRENCE M. MALAN Clerk
By _____ Deputy

STATE OF UTAH, } ss
County of Weber, }
Franz A. Behling, Rulon Garner, and Herbert Woods,
duly appointed Appraisers of the estate of
HYRUM BELNAP

deceased, being duly sworn, each for himself says, that he
will truly, honestly and impartially appraise the property of said estate which shall be exhibited to
him, according to the best of his ability.

Subscribed and sworn to before me
this 6th day of March, 1939.
Lawrence M. Malan Clerk.
By _____ Deputy.

Franz A. Behling
Herbert Woods

STATE OF UTAH, } ss
County of Weber, }
the _____ Administrators, with will annexed of the estate of
HYRUM BELNAP

deceased, being duly sworn, says that the annexed inventory contains a true statement of all of the
estate of said deceased which has come to their knowledge and possession, and
particularly of all money belonging to said deceased, and of all just claims of said deceased against
the said estate

Subscribed and sworn to before me
this 6th day of March, 1939.
Lawrence M. Malan Clerk.
By _____ Deputy.

Arias G. Belnap
Hyrum A. Belnap

In the District Court of the Second Judicial District
IN AND FOR THE COUNTY OF WEBER, STATE OF UTAH

ESTATE OF

12
6070

.....
HYRUM BELNAP,
.....
Deceased.

Inventory and Appraisement

I, County Clerk of the County of
Weber, State of Utah, and ex-officio Clerk of the above named Court, do hereby certify that
Franz A. Behling, Rulon Garner, and Herbert Woods,
were duly appointed Appraisers of the estate of HYRUM BELNAP
.....
deceased, by order of the said District
Court, duly entered in the 6th
day of March, 1939

WITNESS my hand and the seal of said District Court, this
6th day of March, 1939
LAWRENCE M. MALAN Clerk
By *Lucas E. Malan* Deputy

STATE OF UTAH, } ss
County of Weber, }
Franz A. Behling, Rulon Garner, and Herbert Woods,
.....
duly appointed Appraisers of the estate of
HYRUM BELNAP
.....
deceased, being duly sworn, each for himself says, that he
will truly, honestly and impartially appraise the property of said estate which shall be exhibited to
him, according to the best of his ability.

Subscribed and sworn to before me
this 6th day of ~~February~~ *March*, 1939.
Lawrence M. Malan Clerk.
By Deputy.

Franz A. Behling
Herbert Woods

STATE OF UTAH, } ss
County of Weber, } *Arias G. Belnap, and Hyrum A. Belnap.*
the Administrators, with will annexed of the estate of
HYRUM BELNAP
.....
deceased, being duly sworn, says that the annexed inventory contains a true statement of all of the
estate of said deceased which has come to their knowledge and possession, and
particularly of all money belonging to said deceased, and of all just claims of said deceased against
the said estate

Subscribed and sworn to before me
this 6th day of ~~February~~ *March*, 1939.
Lawrence M. Malan Clerk.
By Deputy.

Arias G. Belnap
Hyrum A. Belnap

(Here insert description of property and valuation)

Cash in First Security Savings Bank ----- \$1798.05

Cash on checking account in First Security Bank of Utah N.A. 767.53

rents collected 344.65

Total amount of cash \$2910.23

769 shares of Strongs Canyon Water Stock----- 192.25

104 shares of Belnap Water Co. stock----- no value

One house and lot located on the South $\frac{1}{2}$ of the East $\frac{1}{2}$ of

Lot 9 Block 43 Plat "A" of Ogden City Survey----- \$1000.00

Also Lots 16 to 17 Block 4 Florence Park Addition to Ogden Utah,

Lots 2 to 6 in block 13; Lots 17-20 in block 5; Lots 14 to 17

in block 13; Lots 26 to 29 in Block 13; Lots 6 to 11 Block 9;

Lots 55 to 60 Block 9; Lots 42 to 46 Block 9 all in Florense Park Addition

to Ogden City Utah. Also Lots 11 to 16 in block 2, and Lots

17 to 18 in block 2, all in Belnap Addition to Ogden City Utah.

The above being forty seven unimproved lots of the value of \$200.00

One hundred forty shares of Stock in the Hyrum Belnap Co. Inc. \$5600.00

Total \$9902.48

We, the undersigned, duly appointed appraisers of the herein entitled estate, hereby certify that the property mentioned in the foregoing inventory has been exhibited to us, and that we appraised the same at the sum of \$ 9,907.48

Dated February 28, 1939, 19.....

Franz A. Hebling Appraiser
Herbert Woods Appraiser
.....Appraiser

Estate of BYRON BELNAP, Deceased

To Franz A. Hebling, Rulon Garner, and Herbert Woods,

..... Appraisers, Dr.

To compensation for services in appraising said estate—items as follows:

..... days services at \$..... per day each \$.....

Necessary disbursements as follows:

.....
.....
.....
.....

STATE OF UTAH, } ss Franz A. Hebling, Rulon Garner and Herbert Woods,
County of Weber, }

.....the appraisers above named, being duly sworn, each for himself says, that the foregoing bill of items is correct and just and that the services have been duly rendered as therein set forth.

Subscribed and sworn to before me
this 28th day of February, 1939.
Lawrence M. Zealand Clerk.
By Deputy.

Franz A. Hebling
Herbert Woods

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE ESTATE OF

HYRUM BELNAP

Deceased

#6076

NOTICE

THE PETITION OF

Arias G. Belnap and Hyrum A. Belnap, Administrators
with the will annexed, praying for approval, allowance
and settlement of their first and final account and
report as rendered,

in the above entitled matter,

has been set for hearing before Hon. LEWIS V. TRUEMAN Judge on Monday
the 20th day of March, 1939, at 10 o'clock A.M.
at the County Court House, in the court room of said court, in Ogden City, Weber
County, Utah. Witness, the Clerk of said Court, with the seal thereof affixed.

this 8th day of March, 1939

Hyrum A. Belnap, Esq.,
Attorney for Petitioner.

LAWRENCE M. MALAN, Clerk

By *[Signature]*
DEPUTY CLERK

In the District Court of Weber County

STATE OF UTAH

ESTATE OF

#6076

HYRUM BELNAP

AFFIDAVIT OF MAILING AND
POSTING NOTICES

Deceased.

STATE OF UTAH, } ss.
County of Weber, }

A. M. Allen

of Ogden City, in the said County of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the 8th day of March, 1939, he served notice of the time and place of hearing the petition of Arias G. Belnap and Hyrum A. Belnap, administrators with the will annexed, praying for approval, allowance and approval of their first and final account and for distribution,

in the above entitled matter,

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

Flora Belnap	2942 Pingree Ave., Ogden, Utah
Marion B. Kerr	132 University St., Salt Lake City, Utah
Olive B. Jenson	2403 Harrison Blvd., Ogden, Utah
Hyrum A. Belnap	2267 Harrison Blvd., Ogden, Utah
Dr. H. Earl Balnap	Sparks, Nevada
Arias G. Belnap	1111 21st St., Ogden, Utah
Volney B. Belnap	918 21st St., Ogden, Utah
Jewell A. Furniss	Ammon, Idaho
Della Belnap	2149 Madison Ave., Ogden, Utah
Gladys Carwin	3523 Adams Ave. Ogden, Utah
Byron K. Belnap	904 21st St., Ogden, Utah

And deponent further says that on said 8th day of March A. D. 1939, he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be the most likely to reach the parties interested, to-wit:

One of said notices at the front door of the Court House, in Ogden City, Utah, the same being the place where the said District Court is held.

One notice at the City Hall Park, in Ogden City, Utah, at the North-east corner thereof.

One notice at the South east corner of the Postoffice Building, in Ogden City, Utah, off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the 8th day of March, 1939.

LAWRENCE M. MALAN, Clerk

By _____, Deputy

C O N T R A C T A N D A G R E E M E N T

.....

T H I S C O N T R A C T A N D A G R E E M E N T,
made and entered into this 10th day of September A. D. 1927 by and
between Myrum Belnap, of Ogden Utah, party of the first part, and
Anna C. Belnap, H. Earl Belnap, Arias G. Belnap, Volney B. Belnap.
Jewel Belnap, Della A. Belnap, Gladys Belnap, and Byron, ^{"K"} Belnap,
of Ogden Utah, parties of the second part,

W I T N E S S E T H :

That WHEREAS , it is the desire of the parties of the
second part that the party of the first part turn over to them
his Fifteen Hundred Sixty Shares of the Capitol Stock of the
Belnap Lumber Co. as that much of th^r share of his estate,

And WHEREAS, it is the desire of the party of the first
part that he turn over to the parties of the second part his said
interest in and to his stock in the Bel nap Lumber Co. at this time
as and for and in lieu of an agregate of \$15,600.00, or \$1950.00
a piece for each of the parties of the second part in his estate,
or in other words, it is the desire of the first party to transfer
to the parties of the second part his interest in the Belnap
Lumber Co. at this time and that the parties of the second part
take that interest, which amounts to ~~\$15,600.00~~ ^{\$15,600.00} in the agregate, or
\$1950.00 apiece, in lieu of that much of his estate.

N O W T H E R E F O R E, in consideration of the tran-
sfer to them of his 1560 shares of the Belnap Lumber Co. stock,
which is 195 shares each, receipt of which is hereby acknowledged,
the parties of the second part do hereby take said 1560 shares
of said Belnap Lumber Co. stock, which is 195 shares each, as
and for \$15,600.00 of the estate, which is as and for \$1950.00 each
in his estate, and each of said second parties hereby accept 195
shares of said stock each, as and for \$1950.00 of their share of
the estate of the first party hereto, or as and for \$15600.00 in
the agregate of their share of the first parties estate, and agree

Handwritten note:
15,600.00

hereby that at the time the estate of said Hyrum Belnap, party of the first part hereto, is distributed, or at any sooner time said first party may voluntarily distribute his estate, each of the parties of the second part will consider that he or she has received \$1950.00 of his or her share of the first parties estate, or an agregate of \$15600.00 of first party's estate, and that at that time, by reason of this transfer of the stock to them, they shall have no interest in the first \$15600.00 of the first party's estate, but that \$15600.00 of the first party's estate shall, at the time of its distribution, be distributed to said first party's other heirs, before the parties of the second part become entitled to their proportionate legal share of the balance.

It is further understood that the first party hereto shall become, and he is hereby nominated by the parties of the second part to be the guardian of ^{Gladys and Knight} ~~Byron~~ ^{two of the parties} ~~Belnap's~~ of the second part, and the only ones who needs a guardian, and that they shall take the share of said ^{Gladys and Knight} ~~Byron~~ Belnap and keep it safely for ^{them} ~~him~~ until they becomes of age at which time he will turn it over to the said ^{Gladys and Knight} ~~Byron~~ Belnap.

It is further understood that this agreement shall bind and benefit the heirs, executors, administrators, and lawful assigns hereto.

IN WITNESS WHEREOF, the said parties have hereunto, and to a duplicate hereof, set their hands the day and year first above written.

Signed in the presence of

<u>Hyrum A. Belnap</u>	<u>Hyrum V. Belnap</u>
<u>Lester A. Wade</u>	PARTY OF THE FIRST PART
	<u>Gladys Belnap</u> ✓
	<u>H. Earl Belnap</u> ✓
	<u>V.T. Belnap</u> ✓
	<u>Aras G. Belnap</u> ✓
	<u>Anna C. Belnap</u> ✓
	<u>Della G. Belnap</u> ✓
	<u>Jewel Belnap</u> ✓
	<u>Byron Belnap</u> ✓

Filed for record and recorded October 3, A. D. 1929 at 10:35

o'clock A. M.

JOSEPHINE F. OLSON County Recorder.

United States of America

STATE OF UTAH, }
County of Weber. } ss.

I, the undersigned, County Recorder in and for the said County of Weber, do hereby certify that the annexed and foregoing is a full, true and correct copy of the.....

"CONTRACT AND AGREEMENT"

from..... Hyrum Belnap to GLADYS BELNAP, et al.....

to.....

as the same appears of record in my office in Book..... S..... of Leases..... on page 259.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Ogden City, State of Utah, this

..... 2nd..... day of..... October..... A. D. 1929.....

Joseph F. Olson
County Recorder.

By.....
Deputy Recorder.

NO.

In the District Court of the Second Judicial District
Within and for the County of Weber, State of Utah

In the Matter of the Estate of

6076 ^{1/2}

Creditor's Claim

Hyrum Belnap

Deceased

Electric Service used at 2149 Madison Avenue, from August 11, 1938 to November 8, 1938	\$5.93
Utah State Tax	<u>.12</u>
Total	\$6.05

STATE OF UTAH, }
County of Weber } ss.

L. W. Underwood, Credit Manager of the Utah Power & Light Company

Whose claim is herewith presented to the Administrator, of the
Estate of Hyrum Belnap, Deceased
being duly sworn, on his oath says that the amount thereof, to-wit, the sum of
Six and 5/100 ----- DOLLARS
is justly due to said claimant; that no payments have been made thereon which are not credited, and there are
no offsets to the same to the knowledge of affiant.

Subscribed and sworn to before me this 23rd day of December, 1938
L. W. Underwood
Nephi J. Brown
Notary Public

Foregoing claim approved (\$ 6.05)
dollars, this 6th day of Feb, 1939
Hyrum A. Belnap
Administrator Guardian Executor
Levi S. Underwood
Judge.

NO.....

In the District Court of the Second Judicial District
Within and for the County of Weber, State of Utah

In the Matter of the Estate of

Creditor's Claim

Hyrum Belnap
Deceased

Electric service used at #4-355-23rd Street,	
Ogden, Utah, from January 12, 1939 to	
February 13, 1939	\$3.57
Utah State Tax	.07
Total	\$3.64

STATE OF UTAH, }
County of Weber } ss.

L. W. Underwood, Credit Manager of the Utah Power & Light Company.....

Whose claim is herewith presented to the Administrators....., of the
Estate.....of Hyrum Belnap....., Deceased
being duly sworn, on his oath says that the amount thereof, to-wit, the sum of
Three and 64/100 - - - - - DOLLARS
is justly due to said claimant; that no payments have been made thereon which are not credited, and there are
no offsets to the same to the knowledge of affiant.

Subscribed and sworn to before me this 17th day of February, 1939
Nephi J. Brown
Notary Public

Foregoing claim approved (\$ 3.64)
dollars, this 6th day of February, 1939
Amos G. Belnap Hyrum A. Belnap
Administrator Guardian Executor
Lewis V. Lueman
Judge.

NO.....

In the District Court of the Second Judicial District
Within and for the County of Weber, State of Utah

In the Matter of the Estate of

Creditor's Claim

Hyrum Belnap

Deceased

Electric Service at #4-355-23rd Street,

Ogden, From August 16, 1938 to

January 12, 1939\$20.53

Utah State Tax .41

Total \$21.04

STATE OF UTAH, }
County of Weber } ss.

L. W. Underwood, Credit Manager of the Utah Power & Light Company.....

Whose claim is herewith presented to the..... Administrators....., of the

Estate..... of Hyrum Belnap....., Deceased

being duly sworn, on his oath says that the amount thereof, to-wit, the sum of

Twenty One and 4/100 - - - - - DOLLARS

is justly due to said claimant; that no payments have been made thereon which are not credited, and there are no offsets to the same to the knowledge of affiant.

L. W. Underwood

Subscribed and sworn to before me this 23rd day of January, 1939.

W. Philip Brown
Ogden, Utah

Foregoing claim approved (\$21.04) and allowed in the sum of \$21.04 dollars, this 1st day of February, 1939

Anna A. Belnap Hyrum A. Belnap
Administrator Guardian Executor

Levin V. Zimmerman
Judge.

No. _____
In the District Court of the Second Judicial District
 Within and for the County of Weber, State of Utah

In the Matter of the Estate of

CREDITOR'S CLAIM

Hyrum Belnap
 Deceased

Water bills due on the following property to September 18, 1939	
2149 Madison Ave.,	7.80
353-5-7 23rd Street	6.15
2415 Lincoln Ave.,	1.50
Balance due on note signed 3/14/36 for	
229-24th Street	16.00
Total	31.45

STATE OF UTAH,)
 County of Weber) ss.

----- Ogden City Waterworks Department -----
 Whose claim is herewith presented to the ----- Administrations -----, of the
 Estate of Hyrum Belnap, Deceased
 being duly sworn, on his oath says that the amount thereof, to wit, the sum of

----- Thirty One and 45/100 ----- DOLLARS
 is justly due to said claimant; that no payments have been made thereon which are not credited, and
 there are no offsets to the same to the knowledge of affiant.

Ogden City Waterworks Department
 By: *[Signature]*
 Credit Manager

Subscribed and sworn to before me this 11th day of January, 1939

Commissioner Expired
 April 17, 1942
 Foregoing claim approved \$31.45

Magjore Robison
Mary Kubick

dollars, this 11th day of January, 1939
Alvin G. Belnap Hyrum A. Schump
 Administrator Guardian Executor
Levi V. Swannan
 Judge

NO.

In the District Court of the Second Judicial District
Within and for the County of Weber, State of Utah

In the Matter of the Estate of

Creditor's Claim

Hyrum Belnap

Deceased

STATE OF UTAH, } ss.
County of Weber

Wilkinson Farm Service Co.
357 23 Street, Ogden City, Utah

Whose claim is herewith presented to the District Court, of the
Second Judicial District of Hyrum Belnap, Deceased
being duly sworn, on his oath says that the amount thereof, to-wit, the sum of
Eight and 47/100 DOLLARS

is justly due to said claimant; that no payments have been made thereon which are not credited, and there are
no offsets to the same to the knowledge of affiant.

Subscribed and sworn to before me this 2 day of Oct, 1939

E. C. Wilkinson
Notary Public

Foregoing claim approved (\$ 8 47)
dollars, this 6th day of Feb, 1939

Archie Belnap *Hyrum A. Belnap*
Administrator Guardian Executor
Kenis V. Brennan
Judge.

ved 2-6-39

IN THE DISTRICT COURT
of Weber County, State of Utah

In the Matter of the Estate of

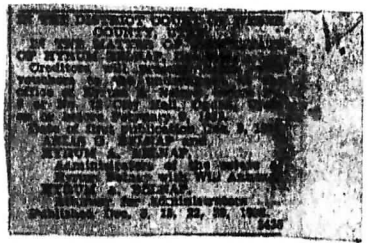
Hyrum Belnap

Deceased

Affidavit of Publication
of Notice to creditors

STATE OF UTAH }
County of Weber } ss.

6076



A. L. Chase

, being first

duly sworn, deposes and says:

That he is a citizen of the United States, over the age of eighteen years, and not interested in the above entitled matter; that he is the principal clerk of The Ogden Standard-Examiner, which is, and was at the times of publication hereinafter mentioned, a newspaper of general circulation in said County and State; printed and published daily therein at Ogden City, that the notice to creditors

a printed copy of which is hereto annexed, was published in said newspaper four times

Viz: on the 8th, 15th, 22nd and 29th of December

193 8

in every number of the regular issue of the said newspaper at times of publication as above specified, under the heading: "PROBATE AND GUARDIANSHIP NOTICES, CONSULT COUNTY CLERK OR THE RESPECTIVE SIGNERS FOR FURTHER INFORMATION," and as far as possible in one column in the alphabetical order of the surnames of decedents and awards.

Subscribed and sworn to before me this 30th day of December 193 8

A. L. Chase
[Signature]
Notary Public.

IN THE DISTRICT COURT OF WEBER COUNTY UTAH

IN THE MATTER OF THE ESTATE)
OF)
HYRUM BELNAP,)
Deceased.)

No. 6076

ORDER ALLOWING APPROVING
AND SETTLING ACCOUNT.

Arias G. Belnap, and Hyrum A. Belnap, the administrators with the will annexed, of the estate of Hyrum Belnap, deceased, having on the 6th day of March 1939, rendered and presented for settlement and filed in this court, their first and final account of their administration of said estate, and afterwards, to wit, on the 20th day of March 1939, the said matter coming on regularly to be heard, and proof having been made to the satisfaction of this court that notice of settlement of said account and of the time and place of hearing the same had been duly given by the clerk as required by law and the order of this court. Now on this the day last aforesaid, the report having been on file for two weeks, and no exceptions having been made or filed, and this court having fully examined the said account and the vouchers produced in support thereof, and that no person appeared to contest the same, and that no exceptions or objections were filed or made before this court to said account, or any part thereof; that said account contains a just and full account of all the monies received and disbursed by said administrators, from the commencement of their administration of said estate to the 28th day of February 1939; that all necessary and proper vouchers were produced and duly filed herein, and that the said account is entitled to allowed and approved, and the court having duly considered the report and the matters aforesaid:

It is ordered and decreed, that the said account and report be, and the same hereby is, in all respects as the same was rendered and presented for settlement, approved, allowed, and settled.

Done in open court March 20, 1939.

Lewis V. Trimmer

J U D G E

FRENCH

WALTER A. KERR
JOHN L. BALLIF, JR.
MARIAN MORRIS

GERMAN

WILLIAM T. RUNZLER
LLEWELYN R. MCKAY
PAUL WYLER



UNIVERSITY OF UTAH
SALT LAKE CITY

DEPARTMENT OF MODERN LANGUAGES
JAMES L. BARKER

SPANISH

JOSE R. LAGO
MADGE HOWE
GRACE HOGAN

PHONETICS

JAMES L. BARKER

Salt Lake City, Utah
April 25th, 1939.

Honorable Judge of the Second Judicial District
Court of the State of Utah and the Administrators
of the estate of Hyrum Belnap.

Gentlemen:

In as much as there are about one hundred of the Belnap family residing in Salt Lake City and vicinity who wish to use names from the Hyrum Belnap genealogical records for temple work; and in as much as it is contemplated putting copies of this genealogy as well as the original papers, manuscripts, letters, books, etc, in the Ogden Public Library for permanent reference; I respectfully request that I be permitted by the Court to borrow the three temple record books containing this complete genealogy which has been made mostly by Flora Belnap, so that I may hire immediately three competent persons to make a copy of each of these record books that we here in Salt Lake might have this information before it is placed where it will not be readily available to us. There are available at Ogden the original papers, letters, old English manuscripts, Belnap genealogy book, etc., also these three temple records which have been copied from the original, mostly by my sister Flora, and also another copy of the same material which has been made by my sister Della. I will be grateful for the use of either of the copies of these records, although it will take less time to copy from the three temple record books rather than the large thick book which Della has prepared. I will take good care of them and return them as soon as the workers have finished copying them or at a reasonable time suggested by his honor the Judge of the Second District Court.

For reference as to my character and dependability I submit the names of the following persons who have known me personally through a period of years; Governor Henry H. Blood, David O. McKay, Judge William H. Folland, Dr. George Thomas, Judge William H. Reeder, David Wilson, City Commissioner Edward T. Saunders, Nathan Tamer and Sheriff John Watson.

Thanking you for this favor and hoping to start copying immediately so that we will not be further hindered in our work here, I remain,

Respectfully

Marian Belnap Kerr.
Marian B. Kerr (Mrs. Walter A. Kerr)

18 - 2-38

Estate of Hyrum Belnap, Deceased No. 6076.

Claim being made to the Court through a letter of Mrs. Marion B. Kerr, one of the heirs of Hyrum A. Belnap, Deceased, that certain geneological records are in the possession of Della Belnap, and the Court being requested to Order the said Della Belnap to produce the said records for the purpose of having copies made of them, and

THEREUPON, on May 8, 1939 at the hour of 2:30 o'clock P.M., Della Belnap voluntarily appearing in Court and being examined as to said records, claims said records were given to her by her father, prior to his death; but agreeing that upon an Order of the Court, said records would be delivered to Mrs. Marion B. Kerr for the purposes required by her.

That, at said hearing, there appeared Hyrum A. Belnap and Arias Belnap, Executors of said Estate, and Hyrum A. Belnap representing to the Court that Della Belnap was in possession of certain records, but that the said Della Belnap admitted possession only of Volumes A, B and C of Temple Records, which she voluntarily agreed to deposit in the Court, to be delivered to Mrs. Marion B. Kerr, subject to the Order of the Court.

The Court, thereupon, ordered the said records be delivered to the Clerk of this Court within ten days from this date, and further Ordered that the Clerk deliver the said records to Mrs. Marion B. Kerr, and take her receipt therefor. Said records to be returned to the Clerk within sixty days from the receipt thereof, in accordance with the written order of the Court to be forthwith drawn and signed.

IN THE DISTRICT COURT OF WEBER COUNTY UTAH

IN THE MATTER OF THE ESTATE OF HYRUM BELNAP, Deceased.	}	No. <u>6076</u> COURT'S FINDINGS, and ORDER.
---	---	--

Della Belnap, having appeared before this court voluntarily at 3:00 o'clock P. M. on the 8th day of May 1939 and testified concerning certain records she has in her possession, and the Court and the said Della Belnap having read a certain letter written by ~~the~~ Mrs. Marion B. Kerr, one of the heirs at law in this estate, asking for the delivery to her of those records so that she could take a copy of them, and the court being fully advised in the premises, makes the following,

F I N D I N G S :

That Della Belnap has in her possession certain geneological temple records consisting of three books marked "A", "B", and "C" and that these three books contain the records of the ancestors of the Belnap family,

That it is the desire of Marion Belnap Kerr to take these records and have a copy made of them within a reasonable time,

That Della Belnap is willing to loan said records so that a copy can be made of them as soon as they come back from the book binders which will be within the next ten days,

That 60 days is a reasonable length of time within which to copy said records, now therefore:

It is hereby ORDERED that you, Della Belnap, deliver over to this court the three temple records which you have marked "A", "B", and "C" within the next ten days, or as soon as they come back from the book binder, so that Marion Belnap Kerr can make a copy of them and she shall have 60 days within which to make said copy, at the end of which time Marion Belnap Kerr shall return them to court.

Dated May 8, 1939.

Lewis V. Inman

J U D G E

IN THE DISTRICT COURT OF WEBER COUNTY UTAH

6076
r 1/2

IN THE MATTER OF THE ESTATE)
OF)
MYRUM BELNAP, DECEASED.)

ORDER EXTENDING TIME

It is hereby Ordered that Marion Belnap Kerr be granted an additional forty days from this date in which to return the geneological records heretofore referred to in the order of this Court made May 8, 1939.

Lewis V. Furman

District Judge.

Dated: July 31, 1939

132 University Street
Salt Lake City, Utah

July 29, 1959

Judge Truman
District Court
Ogden, Utah

Dear Sir:-

This is to certify that I do hereby offer the court my copy of
Flora Belnap's copy of Father's Temple Records to be used, if the
court sees fit, as a temporary loan to Della Belnap.

Sincerely,

Marion Belnap Kerr
Marion Belnap Kerr.

July 27, 1939;

Mrs. Mary M. Belnap Kerr,
132 University Street,
Salt Lake City, Utah.

Dear Mrs. Kerr:

I received your letter of July first in regard to the books of the Belnap Family that you obtained by Court Order from your Sister Della Belnap to be returned within sixty days.

Your brother, Judge Belnap, called me on the phone and stated that you would require about forty days to complete the records. I have conferred with your other brother, Mr. Arias Belnap and he informs me that the records will be needed when the Temple opens on August 7th., in order for your sister to complete some of her work in connection therewith.

I am sure that all interested desire that you have a copy of the records, but it would be appreciated if you would make such arrangements to return them by the time they are needed, or confer with your sister and secure from her a consent for you to use them longer than that time.

As stated above, there is no disposition to work a hardship on you, but, at the same time, the use of these records by your sister is of course appreciated by you, and your cooperation in returning them as early as possible will be appreciated by all.

Yours truly,

District Judge

FRENCH
L. GALLUP, JR.
MARIAN MORRIS

GERMAN
WILLIAM T. RUNZLER
LLEWELYN R. MCKAY
PAUL WYLER



SPANISH
JOSE R. LAGO
MADGE HOWE
GRACE HOGAN

PHONETICS
JAMES L. BARKER

UNIVERSITY OF UTAH
SALT LAKE CITY

DEPARTMENT OF MODERN LANGUAGES
JAMES L. BARKER

Salt Lake City, Utah, July 1st 1939

Judge Lewis V. Trueman
Judge of the District Court of the Second
Judicial District of the State of Utah,
CgdenUtah.

Dear Sir:

Soon after May 15th, I received from your court the three Record Books written almost wholly by my sister Flora Belnap. I should like to report that it seems impossible to finish copying them in the time allotted us, sixty days. I was unable to obtain persons to start work until one week after I received them. Since then I have had four people working constantly on them; one spending her entire time, and the three others from three to five hours a day. The copying is about half through. The writing and notes added, are very close together and rather difficult to decipher, ~~and~~ so it has taken more time than anticipated. We find that in order to make the copy accurate, it must be carefully rechecked after it is finished, to verify it, and the index changed to surnames and standardized if it is to be understood by any one who is not acquainted with my sister's system. My husband, and daughter (a Salt Lake City school teacher), will be able to help me do this re-checking and indexing if it could be done after July 21st when the University of Utah Summer School ends. This would be very desirable because it would lesson the expense which is far above what I anticipated. We would greatly appreciate it if your honor *would* allow us to continue work on these records until the court has need of them. We can get them to your court within twenty four hours of the time your honor may notify us.

We feel that in as much as a large amount of money has been spent to make copies of these records, their accuracy should be verified, and the index standardized. Some mistakes in deciphering have been made as it is now, and the index is partly in surnames, and partly in given names which is rather confusing at times.

Thanking you kindly and hoping you will allow us this privilege, I am

Sincerely

Marian Belnap Kern (Mrs. Walter A.)

P.S. In the meantime we shall await your reply.

In the District Court of the Second Judicial District
IN AND FOR THE COUNTY OF WEBER, STATE OF UTAH

ESTATE OF

S U P P L I M E N T A L

H Y R U M B E L N A P ,

Deceased.

Inventory and Appraisement

#6076 1/12

I, LAWRENCE M. MALAN County Clerk of the County of
Weber, State of Utah, and ex-officio Clerk of the above named Court, do hereby certify that

F. A. Behling and Herbert Woods

were duly appointed Appraisers of the estate of Hyrum Belnap

deceased, by order of the said District

Court, duly entered on the 8th

day of February, 19 39

WITNESS my hand and the seal of said District Court, this

8th day of September, 19 39

LAWRENCE M. MALAN Clerk.

By *Wm. E. Brammery* Deputy

STATE OF UTAH, }
County of Weber, } ss.

F. A. Behling and Herbert Woods

duly appointed Appraisers of the estate of

deceased, being duly sworn, each for himself says, that he

will truly, honestly and impartially appraise the property of said estate which shall be exhibited to
him, according to the best of his ability.

Subscribed and sworn to before me

this 8th day of September, 19 39

Hyrum A. Belnap
Judge of the County Court
Deputy

F. A. Behling
Herbert Woods

STATE OF UTAH, }
County of Weber, } ss.

HYRUM A. BELNAP, and ARIAS G. BELNAP,

the ADMINISTRATORS of the Estate of Hyrum Belnap,
deceased,

deceased, being duly sworn, say that the annexed ^{Supplemental} inventory contains a true statement of all of the
estate of said deceased which has come to their knowledge and possession, since filing the original Inv. & Apr.
particularly of all money belonging to said deceased, and of all just claims of said deceased against
the said HYRUM BELNAP, deceased.

Subscribed and sworn to before me

this 6th day of Sept., 1939

L. M. Malan
Clerk
Deputy

Hyrum A. Belnap

[Here insert description of property and valuation]

That certain tract of land deeded from Mary Stephens to Hyrum Belnap, deceased, and recorded in Book 92 of Deeds at page 591, described as follows, to wit:

Commencing at the center of 32nd street and Madison Avenue, thence East 40 feet; thence South 40 feet to a beginning; thence South 15.58 feet; thence East 1057.18 feet more or less; thence North 3.58 feet more or less to the South line of 32nd Street; thence West ~~10x57~~ 1057.18 feet to beginning. This is a strip of land between 32nd street and the lots in Belnap Addition it abutts against which is of no value except in connection with those lots. 10⁰⁰

Also the following described family records, to wit:

A record containing a typed copy of the Belnap's in England and the Belnap's in America, (abt. 2000 names) with preface, name, and date, by B. Henry Wycoff. *Henry Wycoff Belnap*

Two copies typed and indexed by Flora Belnap of various manuscripts of Franklin Belnap.

The hand written record of the direct Belnap line on fullscap sheets.

The hand written record of Dr. Belnap of New York, and many letters

The records of Scott Belnap, containing many written and typed records

Leveret Belnap's records containing typed and written letters.

New England Historical and geneological magazines.

A large wooden box full of letters and correspondence from England and the Unites States.

A small printed record of Belnaps ^{having} ~~maintaining~~ a reddish brown cover *(The Belnap Family of Newburgh with some Hyrum Belnap as Laura's handwriting)*
Photographs and cuts of father and his immediate ancestors.

A printed book of Orange County Records.

Original letters, and books and Old English manuscripts.

A complete copy of everything mentioned compiled by Della Belnap *in modern family sheets*

Three Temple Records designated "A", "B", and "C". "A" is in fathers handwriting; "B" and "C" are in Flora Belnap's handwriting; "A" and "B" are indexed by Flora Belnap.

A blue paper covered book containing the names of the Belnap family of Newburgh and vacinity by Wm. E. Warren.

A brown book in father's handwriting containing a few hundred names starting out the family record.

A group of family sheets of the living. The above is of no value exceptas a family record.

shows to be a family given by Dr. ...

We, the undersigned, duly appointed appraisers of the herein entitled estate, hereby certify that the property mentioned in the foregoing inventory has been exhibited to us, and that we appraised the same at the sum of \$10⁰⁰

Dated Sept. 8th, 1939

J. A. Behling Appraiser

Herbert Woods Appraiser

Appraiser

Estate of _____, Deceased

To _____

Appraisers, Dr.

To compensation for services in appraising said estate—items as follows:

_____ days' services at \$ _____ per day each, \$ _____

Necessary disbursements as follows:

STATE OF UTAH,
County of Weber,

ss. J. A. Behling and
Herbert Woods

_____ the appraisers above named, being duly sworn, each for himself says, that the foregoing bill of items is correct and just and that the services have been duly rendered as therein set forth.

Subscribed and sworn to before me

this 8th day of Sept., 1939
Symon A. Schragg, Clerk.
Judge of Peace in and for
Deputy.

J. A. Behling

Herbert Woods

#6076

112?

Ogden, Utah, September 14, 1939.

RECEIVED FROM

LAWRENCE M. MALAN, County Clerk,

3 Books of Temple Records, A. B. and C

In the matter of the Estate

of

HYRUM BELNAP, Deceased.

File No. 6076

As per court order~~ed~~ dated September 14, 1939, and
minute entry as of September 14, 1939.

Della Belnap

#6076

Ogden, Utah, September 14, 1939.

RECEIVED FROM

LAWRENCE M. MALAN, County Clerk,

3 Books of Temple Records, A. B. and C

In the Matter of the Estate

of

HYRUM BELNAP, Deceased.

File No. 6076

As per court order~~ed~~ dated September 14, 1939, and
minute entry as of September 14, 1939.

Della Belnap

IN THE DISTRICT COURT OF
Weber County, Utah.

71

In the Matter of the Estate)
of)
HYRUM BELNAP,)
D e c e a s e d .)

) Petition for appointment of
Co-Administrator with Will
Annexed. (#6076)

To the Honorable Judges of the above-named Court:

The petition of Flora Belnap, Marion B. Kerr and Olive B. Jensen respectfully represents as follows:

1. That Hyrum Belnap died testate on September 18, 1938, in Weber County, State of Utah, of which County and State he was a resident at the time of his death; that thereafter, to-wit, on September 26, 1938, petition was duly filed herein for probate of said decedent's last will and testament; that said will was duly proved and admitted to probate herein and that Arias G. Belnap and Hyrum A. Belnap, sons of decedent, were duly appointed by the above-entitled court as administrators with the will annexed herein; that they thereupon qualified under said appointment and have since continued to act as such co-administrators with will annexed until January 20, 1940, when said Hyrum A. Belnap died.

2. That the administration of the estate of said Hyrum Belnap, deceased, is still pending, and that there probably will be a delay of several months before the same is closed, as there are certain rents to be collected and accounted for and final distribution to be made.

3. That Alfred E. Stratford, residing at 1206 26th Street, Ogden, Utah, is a competent person to act as administrator to succeed said Hyrum A. Belnap, deceased, and that he is willing to act in such capacity.

WHEREFORE, your petitioners pray that letters of general or special administration with will annexed upon said estate issue to said Alfred E. Stratford, and for such other and further relief as to the court shall seem meet.

Flora Belnap

Joseph E. Evans,
Attorney for Petitioners.

State of Utah)
) : ss
County of Weber)

Flora Belnap, Marion B. Kerr and Olive B. Jensen,
being first duly sworn, each on her oath deposes and says:

I am one of the signers above-named; that I have read the fore-
going petition, and know the contents thereof, and that the same is
true.

Flora Belnap

Subscribed and sworn to before me
this 23rd day of January, 1940.

Joseph E. Evans

NOTARY PUBLIC, residing at Ogden, Utah

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE ESTATE OF

#6076

HYRUM BELNAP

Deceased

NOTICE

THE PETITION OF

Flora Belnap, praying for the appointment of Alfred
E. Stratford to succeed Hyrum A. Belnap, deceased,,
as co-administrator,

in the above entitled matter,

has been set for hearing before Hon. LEWIS V. TRUEMAN, Judge on Monday
the 5th day of February, 1940 at 10 o'clock A. M.,

at the County Court House, in the court room of said court, in Ogden City, Weber County, Utah.

Witness, the Clerk of said court, with the seal thereof affixed,

this 24th day of January, 1940

LAWRENCE M. MALAN, Clerk

By *Ma E. R. Arnold*

DEPUTY CLERK

Joseph E. Evans, Esq.,
Attorney for Petitioner.

In the District Court of Weber County

STATE OF UTAH

ESTATE OF

#6076.

HYRUM BELNAP

AFFIDAVIT OF MAILING AND POSTING NOTICES

Deceased.

STATE OF UTAH, } ss.
County of Weber, }

A. M. Allen

....., of Ogden City, in the said County of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the

24th day of January, 1940, he served notice of the time and place of hearing the petition of Flora Belnap praying for the appointment of Alfred E. Stratford to succeed Hyrum A. Belnap, deceased, as co-administrator

in the above entitled matter,

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

Flora Belnap	2942 Pingree Ave., Ogden, Utah
Marion B Kerr	132 University St., Salt Lake City, Utah
Olive B. Jensen	2403 Harrison Blvd., Ogden, Utah
Dr. H. Earl Belnap	Sparks, Nevada
Arias G. Belnap	1111 21st St., Ogden, Utah
Volney B. Belnap	918 21st St., Ogden, Utah
Fewell A. Furniss	Ammon, Idaho
Della Belnap	2149 Madison Ave., Ogden, Utah
Gladys Carwin	23523 Adams Ave., Ogden, Utah
Byron K. Belnap	904 21st St., Ogden, Utah
Hyrum A. Belnap	Ogden, Utah
Alfred Stratford	1206 26th St., Ogden, Utah
Jos. E. Evans, Esq.	Ogden, Utah

And deponent further says that on said 24th day of January A. D. 1940, he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be the most likely to reach the parties interested, to-wit:

One of said notices at the front door of the Court House, in Ogden City, Utah, the same being the place where the said District Court is held.

One notice at the City Hall Park, in Ogden City, Utah, at the North-east corner thereof.

One notice at the South east corner of the Postoffice Building, in Ogden City, Utah, off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the

24th day of January, 1940

LAWRENCE M. MALAN, Clerk

By: *Mal E. B. ...*, Deputy

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT

IN AND FOR THE COUNTY OF WEBER, STATE OF UTAH

n

ESTATE OF

HYRUM BELNAP,

Deceased

112
ORDER FIXING DAY
(#6076)

IT IS HEREBY ORDERED that hearing upon the petition of

Flora Belnap,

praying for the appointment of Alfred E. Stratford to succeed Hyrum A. Belnap, deceased, as co-administrator

in the above entitled matter, be had on Monday the 5th day of February, 1940, at 10 o'clock A.M., and that notice of such hearing be given according to law by mailing and posting.

Dated January 24, 1940, ~~xxix~~

LAWRENCE M. MALAN, Clerk,

~~xxxx~~

By *Mal E. Lawrence*

Deputy Clerk

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR
THE COUNTY OF WEBER, STATE OF UTAH

-----oOo-----
IN THE MATTER OF THE ESTATE) # 6076
OF HYRUM BELNAP,) STIPULATION
Deceased.)
-----oOo-----

IT IS HEREBY STIPULATED by and between H. Earl Belnap, Jewell Belnap Furniss, Byron K. Belnap, Volney B. Belnap, Della Belnap, Gladys Belnap Carwin and Arias G. Belnap, both personally and as surviving co-administrator with the will annexed of the estate of Hyrum Belnap, Deceased, by and through their attorneys, Thatcher and Young, and Flora Belnap, Olive B. Jenson and Marion B. Kerr, by and through their attorney, Joseph E. Evans, that Samuel G. Dye, a competent person, willing to act, may be appointed by the Court co-administrator with the will annexed to succeed Hyrum A. Belnap, former co-administrator and now deceased, and to serve as co-administrator with Arias G. Belnap during the balance of the administration upon the estate of Hyrum Belnap, Deceased.

IT IS FURTHER STIPULATED that all disputes, differences and controversies now existing among the above named heirs at law of Hyrum Belnap, Deceased, or which may hereafter arise with respect to any matter incident to the administration of the estate of Hyrum Belnap, Deceased, shall be submitted to and decided by the said Samuel G. Dye and Arias G. Belnap, co-

administrators as aforesaid, as arbitrators, and their decision upon any such dispute or controversy shall be binding upon the parties above named, and each of them.

DATED this 5th day of February, 1940.

Thatcher & Young
Attorneys for H. Earl Belnap,
Jewell Belnap Furniss, Byron K.
Belnap, Volney B. Belnap,
Della Belnap, Gladys Belnap Carwin
and Arias G. Belnap.

Art. Oran
Attorney for Flora Belnap, Olive B.
Janson and Marion B. Kerr.



UNITED STATES FIDELITY AND GUARANTY COMPANY

INTER-OFFICE CORRESPONDENCE



To: Joseph E. Evans, Attorney at Law

8.76

Date: Feb 27, 1940

From: J. L. Forristall, Agent

Subject: Estate of Hyrum Belnap, deceased, - appointment of co-administrator

Dear Mr. Evans:

This will acknowledge receipt of copy of Order Appointing Co-administrator, dated February 8, 1940, wherein Judge Trueman ordered that "the bond heretofore given continue, with appropriate changes as to successor co-administrator."

I have advised my Company that the estate will very likely be closed within the next sixty days -- i e, just as soon as the question of liability for the payment of State inheritance tax has been determined, and that it is satisfactory to the estate that the present bond in the sum of \$9,000.00 continue.

You are hereby advised that my Company has taken appropriate action to continue the bond with Mr. Samuel G. Dye substituted for Hyrum A. Belnap, who died on January 20, 1940, as co-administrator with Arius G. Belnap, the surviving co-administrator.

With the bond now in order, you may have Mr. Dye qualify by taking the usual oath, etc.

Yours very truly,

UNITED STATES FIDELITY AND GUARANTY CO.

J. L. Forristall

IN THE DISTRICT COURT OF WEBER COUNTY

STATE OF UTAH

cc

ESTATE OF

HYRUM BELNAP,

DECEASED.

Letters of Administration with the Will Annexed.

(#6076)

STATE OF UTAH,
County of Weber,

ss.

The last will of HYRUM BELNAP, deceased a copy of which is hereto annexed, having been proved and recorded in the District Court in and for the County of Weber, and ~~that he was previously appointed by the Court with Hyrum A. Belnap, who was heretofore appointed as co-administrator with will annexed, having died, Samuel G. Dye is hereby appointed~~ ^{CO-} administrator ^A of the same, with the will annexed.

WITNESS Lawrence M. Malan, Clerk of the District Court, in and for the County of Weber.

Dated the 27th day of February 1940

By order of the Court.

LAWRENCE M. MALAN

Clerk.

By Wm. E. Brammer Deputy.

STATE OF UTAH,
County of Weber. } ss.

I do solemnly swear that I will support the Constitution of the United States, and of this State and will faithfully perform according to law, the duties of ^{CO-} administrator ^A of the estate of HYRUM BELNAP, deceased.

Subscribed and sworn to before me this 27th day of February, 1940.

Samuel G. Dye

John Evans Clerk

By NOTARY PUBLIC, residing at Ogden, Utah Deputy.

IN THE DISTRICT COURT OF
Weber County, Utah.

In the Matter of the Estate)
 of)
HYRUM BELNAP,)))
 Deceased.))

State of Utah)
 ; ss
County of Weber)

Arias G. Belnap, being first sworn, on his oath deposes and says: I am one of the administrators of the estate of Hyrum Belnap, deceased; that on March 9th, 1940, I deposited in the United States mails at Ogden City, Weber County, Utah, with the postage prepaid thereon, sealed in an envelope addressed to each of the following persons at their respective places of residence as designated, a notice of which there is hereunto annexed a true copy, to-wit:

- State Tax Commission, State Capitol, Salt Lake City, Utah;
- Flora Belnap, 2149 Madison Avenue, Ogden, Utah;
- Marion B. Kerr, 132 University Street, Salt Lake City, Utah;
- Olive B. Jensen, 2403 Harrison Blvd, Ogden, Utah;
- Dr. H. Earl Belnap, 346 12th Street, Ogden, Utah;
- Arias G. Belnap, 1111 21st Street, Ogden, Utah;
- Volney B. Belnap, 915 21st Street, Ogden, Utah;
- Jewel A. Furniss, Ammon, Idaho;
- Della Belnap, 2341 Madison Ave, Ogden, Utah;
- Gladys Carwin, 355 Parry Street, Ogden, Utah;
- Byron K. Belnap, 904 24th Street, Ogden, Utah;
- Lois Ellen Foster Belnap, Administratrix of the Estate of Hyrum A. Belnap, deceased, 2267 Harrison Blvd, Ogden, Utah;

and that there is a regular communication of mails between said Ogden City and said designated places.

Arias G. Belnap

Subscribed and sworn to before me
this 9th day of March, 1940.

L. M. Malan
NOTARY PUBLIC, residing at Ogden, Utah

In the District Court of the Second Judicial District
 Within and for the County of Weber, State of Utah

In the Matter of the Estate of

.....
 Deceased.

NOTICE OF DATE AND PLACE OF
 APPRAISEMENT UNDER THE
 INHERITANCE TAX LAW
 (6076)

To

WHEREAS, on the 17th day of November, A. D. 1940, the District Court of the Second Judicial District of the State of Utah, within and for the County of Weber, the Hon. Walter A. Wade, presiding as Judge thereof, made and entered an order appointing the undersigned appraisers of the estates within said Weber County, which are sought to be charged with Inheritance Taxes, under and by virtue of Title 50, Compiled Laws of Utah, 1917, as amended by Session Laws of Utah, 1919 ~~of Utah, 1923~~ Ch. 12, Title 60, Rev Statutes AND WHEREAS, the said Walter A. Wade, deceased, left estate in said Weber County, which is sought to be charged with said Inheritance Tax under and by virtue of the hereinbefore mentioned Statute.

AND WHEREAS, the undersigned have been duly commissioned as appraisers of said estates by the Clerk of said Court and County for the said purpose hereinbefore set forth, said commission being dated the 17th day of November, A. D. 1940.

AND WHEREAS, you are known to have some interest in said estate.

NOW THEREFORE, take notice that the said undersigned appraisers will appraise the said estate for the purpose hereinbefore set forth at the County Clerk's Office in the County Court House in Ogden City, Weber County, State of Utah, on the 21st day of April, A. D. 1940 at ten o'clock A. M.

Walter A. Wade
Walter A. Wade
Carlos Cardon

Appraisers Under Inheritance Tax Law.

IN THE DISTRICT COURT OF
Weber County, Utah.

In the Matter of the Estate)
)
) *LB*
HYRUM BELNAP,) ORDER. (#6076)
)
) D e c e a s e d .)

It appearing to the court that it will be impracticable to serve notice of the time and place at which the inheritance tax appraisers will appraise the property owned by the estate of said decedent in the same manner as summons is served in civil actions, therefore, on application of Joseph E. Evans, of counsel for the administrators in the above-entitled matter,

IT IS ORDERED that notice to the State Tax Commission and other persons known to be interested in the property owned by said estate and about to be appraised by the State inheritance tax appraisers, of the time and place at which said State inheritance tax appraisers will appraise said property, be given by mailing not less than ten days from the date of such notice, as provided by law.

Dated and signed this March *8th*, 1940.

Lewis V. Freeman.
Judge

In the District Court of the SECOND Judicial District

of the State of Utah, in and for the County of WEBER

In the Matter of the Estate of

HYRUM BELNAP

Deceased.

*Inheritance Tax Report
and Appraisement*

6076 *r 12*

COMMISSION ISSUED TO APPRAISERS

I, Lawrence M. Malan Clerk of the District Court of the Second Judicial District of the State of Utah, in and for the County of Webster, do hereby certify that T. Leland Shreeve, Moroni Skeen and Carlos Cardon

were heretofore duly appointed appraisers of all property subject to inheritance tax in and for the County of Webster in the State of Utah, and they are hereby commissioned to appraise the property of Hyrum Belnap deceased, which may be subject to inheritance tax, as provided by law.

Witness my hand and seal of said court this 6th day of March, A. D. 1940.

Lawrence M. Malan

Clerk

By Lesley Malan

Deputy Clerk

Report by Executor, Administrator or Trustee

As required by Section 3204 of the Compiled Laws of Utah of 1917, as amended by Chapter 9, Special Legislative Session, 1919. 80-12-010 Revised Statutes of Utah

Name of decedent: Hyrum Belnap

Last resident of decedent: Ogden, Weber County, Utah

Date of death of decedent: September 18, 1938

State whether or not decedent left a will: Yes

Name and postoffice address of executor, administrator or trustee: Arias G. Belnap,

Surviving Co-administrator with the will annexed, Office of the

Treasurer, County Court House, Ogden, Utah None

Name and postoffice address of surviving wife or husband:

Name and address of attorney for estate: Thatcher & Young, Esq., First

Security Bank Building, Ogden, Utah & Jos. E. Evans, Esq., Eagles Bldg,

Name, postoffice address, and relationship to decedent, of each heir at law, and of each beneficiary under the will:

Name	Post Office Address	Relationship
Flora Belnap	2149 Madison Ave., Ogden, Utah	Daughter
Marion B. Kerr	132 University Street, Salt Lake City, Utah	Daughter
Olive B. Jensen	2403 Harrison Blvd., Ogden, Utah	Daughter
Dr. H. Earl Belnap	346-12th Street, Sparks, Nevada	Son
Arias G. Belnap	1111-21st Street, Ogden, Utah	Son
Volney B. Belnap	918-21st Street	Son
Jewel A. Furniss	Ammon, Idaho	Daughter
Della Belnap	2341 Madison Ave., Ogden, Utah	Daughter
Gladys Carwin	355 Parry Street, Ogden, Utah	Daughter
Byron K. Belnap	904-24th Street, Ogden, Utah	Son
Lois Ellen Foster Belnap, Administratrix of the Estate of Hyrum A. Belnap, now deceased	2267 Harrison Blvd., Ogden, Utah	Administratrix of Deceased son

Copy mailed to Utah State Tax Commission
 Capitol Bldg., Salt Lake City, Utah
 March 2, 1940. LAWRENCE M. McLAN, Clerk, By Mae E. Bramwell Deputy

Inventory for Inheritance Tax Purposes, of all property both real and personal of

HYRUM BELNAP

deceased

Appraisement by
Inheritance Tax
Appraisers

(Note-List real estate first, then the personal property, and include all property transferred in contemplation of death or in the nature of a final distribution)

Dollars Cts.

The South one-half of the East half of Lot 9, Block 43, Plat A, Ogden City Survey.

2000 00

Lots 16 to 17, Block 4, Florence Park Addition, Ogden, Utah
 " 3 to 6, " 13, " " " " "
 " 17 to 20, " 5, " " " " "
 " 14 to 17, " 13, " " " " "
 " 26 to 29, " 13, " " " " "
 " 6 to 11, " 9, " " " " "
 " 55 to 60, " 9, " " " " "
 " 42 to 46, " 9, " " " " "
 " 11 to 16, " 3, Belnap Addition, Ogden, Utah
 " 13 to 18, " 2, " " " "

50 00
 80 00
 80 00
 100 00
 25 00
 340 00
 300 00

Lot 5, Block 2, Plat F in Ogden City Cemetery, Weber County, Utah

No Value

An undivided 140/250ths in the following four tracts of land in Ogden, Weber County, Utah:

Beginning 45 feet 8 inches from the Northwest corner of Lot 7, Block 32, Plat A, Ogden City Survey; thence South 100 feet, West 15 feet 8 inches; South 32 feet; East 80 feet, North 132 feet; thence West to beginning.

580 00

A part of Lots 9 and 10, Block 24, Plat A, Ogden City Survey: Beginning 93 feet West of the Northeast corner of Lot 10; thence West 50 feet, South 85 feet, East 50 feet, thence North 85 feet to beginning.

280 00

A part of Lot 7, Block 23, Plat A, Ogden City Survey: Beginning at a point 81 feet South of the Northeast corner of said Lot 7, and running thence West 83.82 feet; thence South 29 feet; West 50 feet; South 22 feet; East 132 feet; thence North 51 feet to beginning.

168 00

Also a part of Lot 7, Block 24, Plat A, Ogden City Survey: Beginning at the Northeast corner of Lot 7, thence South 330 feet, West 1 foot, North 17 1/2 feet, West 126 feet, North 147.5 feet, East 63.5 feet, North 165 feet, East 63.5 feet to beginning.

420 00

Cash in savings account at First Security Bank of Utah, National Association

1,798.05

Cash in checking account at First Security Bank of Utah, National Association

767.53

0013
~~Cash on hand~~

50.00

~~761~~

~~400~~ shares of Strong's Canyon water stock

175 25

104 shares of Belnap Water Company stock

26 00

20301 83

Oath of Executor, Administrator, or Trustee

STATE OF UTAH,
County of WEBER } ss.

Arias G. Belnap

being first duly sworn

deposes and says: I am the Surviving Co-administrator
with the will annexed,
of the estate of the said Hyrum Belnap deceased;

that I have read the foregoing report of facts required of me by Section 3204 of the Compiled Laws of Utah of 1917, as amended by Chapter 9, Laws of Special Legislative Session, 1919, and that the same is true in all respects to the best of my knowledge, information and belief; and in particular that the said inventory contains a true statement of all of the estate of the said deceased which has come to my possession or knowledge, including any property transferred in contemplation of death or in the nature of a final distribution.

Arias G. Belnap

Subscribed and sworn to before me this 5th day of March

A. D. nineteen hundred and Forty

My commission expires Aug. 15, 1943

Paul W. Hatcher

Notary Public

Residing in Ogden, Utah

Certificate of Inheritance Tax Appraisers

STATE OF UTAH,
County of Weber } ss.

We, the undersigned Inheritance Tax Appraisers in and for the County of Weber
in the State of Utah, do hereby certify that we have appraised all of the property set forth in the
foregoing inventory as reported by the Surviving Co-administrator with of the estate of
the will annexed

Hyrum Belnap deceased; and that in the column
under the heading "Appraisalment by Inheritance Tax Appraisers" we have placed in figures the
appraised valuation of each piece or parcel of property opposite the description thereof in the inven-
tory; and that the total valuation of all of the real estate so appraised by us in the sum of.....

Seventeen Thousand Five Hundred Thirty-five and No/100 - - - Dollars

(\$17,535.00.....); and that the total valuation of all of the personal property so appraised by

us is the sum of Two Thousand Seven Hundred Sixty-six and 83/100 - - - Dollars

(\$ 2,766.83.....); and that the total value of the whole estate of the said deceased as appraised

by us is the sum of Twenty Thousand Three Hundred one and 83/100 - - -

Dollars (\$ 20,301.83.....).

Dated March 21....., A. D. 1940

W. Skene Appraiser.
Carlos Cardon Appraiser.
Frank H. ... Appraiser.

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH,
IN AND FOR WEBER COUNTY

-----ooOoo-----
In the Matter of the Estate of :
HYRUM BELNAP, : P E T I T I O N
Deceased. : No. 6076
-----ooOoo-----

Comes now the State Tax Commission of the State of Utah and informs and petitions this Honorable Court as follows:

I.

That the State Tax Commission is a body politic created by the Constitution and Laws of the State of Utah and is charged with the duty, among other things, of administering the provisions of Chapter 12, Title 80, Revised Statutes, 1933, otherwise known as the Inheritance Tax Law, and of collecting all inheritance taxes due thereunder.

II.

That Hyrum Belnap died testate on or about the 18th day of September, A. D., 1938; that at the time of his death, and for many years prior thereto, said decedent was a resident of Weber County, State of Utah; that Arias G. Belnap has been duly appointed as surviving Co-administrator with Will Annexed of the above-entitled estate and is now serving in such capacity; that on or about the 5th day of March, A. D., 1940, said Co-administrator with Will Annexed filed with this Court an inheritance tax report and appraisal, listing certain property therein as being subject to the Inheritance Tax Laws of the State of Utah, which property, so listed, was duly appraised by the inheritance tax appraisers in and for Weber County in the total sum of \$20,501.83.

III.

That said decedent, during his lifetime, to wit, the 31st day of December, 1931, transferred to his son, Hyrum A. Belnap, as trustee, four tracts of income-producing real property located in Weber County, State of Utah; that under the terms of said transfer to Hyrum A. Belnap, as trustee, the decedent reserved to himself the income on said property over and above the upkeep of the property and taxes thereon for and during the period of said decedent's lifetime; that said

transfer by said decedent to Hyrum A. Belnap, as trustee, was a transfer in trust for a corporation to be formed and to be known as the Hyrum Belnap Company, Incorporated, a Utah corporation; that thereafter, said corporation was duly formed and a charter issued to it by the State of Utah authorizing it to issue capital stock to the extent of 250 shares; that Hyrum A. Belnap, as trustee, transferred to the corporation the legal title to said four pieces of income-producing real property situated in Weber County, State of Utah, reserving to said decedent, however, the net income from said parcels of property for and during the term of said decedent's natural life; that neither said corporation so formed nor any other corporation or person received any of the income from the said parcels of real property during the lifetime of the decedent other than the decedent himself; that during the year 1934, the charter of said corporation to do business in the State of Utah was revoked by reason of its failure to pay the corporation franchise license tax for the year 1933; that during said decedent's lifetime, said decedent collected the income from said parcels of real property and paid all taxes and expenses thereon; that said decedent caused 140 shares of the stock of said corporation to be issued to himself and further caused the remaining 110 shares of stock in said corporation to be issued in the names of the children of the decedent; that said children of the decedent so receiving said 110 shares of stock in the corporation paid no consideration for the shares of stock so issued to them.

IV.

That the State Tax Commission is informed and believes, and therefore alleges that the Hyrum Belnap Company, Incorporated, conducted no business as a corporation and did no acts as a corporation, except to take title to the real estate and to issue stock to the decedent and his children as aforesaid, and that the corporation kept no records of any description.

V.

That the said transfer of the four parcels of real property by the decedent to the corporation through the trustee, with a reservation to the said decedent of the sole right to all of the net income from the said property during his lifetime, was and is a transfer intended to take effect in possession or enjoyment at or after the death of the trustor and, therefore, is subject to tax under Chapter

12, Title 80, Revised Statutes of Utah, 1933, and particularly Section 80-12-3 thereof; that notwithstanding the premises and despite numerous requests the said Co-administrator with Will Annexed of the above-entitled estate has failed and refused to include the full interest in said real property in the inheritance tax report and appraisal, claiming that inheritance taxes due to the State of Utah from the above-entitled estate should be based upon only 140/250ths interest in said real property.

VI.

That the transfer and disposition of the said real property effected in the manner aforesaid was and is a transfer and disposition of property subject to tax under the provisions of Chapter 12, Title 80, Revised Statutes of Utah, 1933.

WHEREFORE, YOUR PETITIONER PRAYS:

1. That this Honorable Court enter its order adjudging the transfer by said decedent to said corporation through the trustee as aforesaid to be a taxable transfer under the provisions of Chapter 12, Title 80, Revised Statutes of Utah, 1933.

2. That the Co-administrator with Will Annexed be ordered to file a supplemental inventory including therein the 110/250ths interest in said real property which was omitted from the original inheritance tax report and appraisal heretofore filed and have said 110/250ths interest in said property appraised for inheritance tax purposes.

3. For such other and further relief as this Honorable Court may deem just and meet in the premises.

Garfield Anderson
Grant A. Brown
Attorneys for State Tax Commission

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

LEO A. JARDINE, being first duly sworn, deposes and says: That he is an official, to-wit: Secretary of the State Tax Commission of the State of Utah;

that he has read the foregoing Petition and knows the contents thereof, and that the same are true of his own knowledge, except as to those matters therein stated upon information and belief, and as to those matters he believes them to be true.

Geo. A. Jardine

Subscribed and sworn to before me this 26 day of April, A. D., 1940.

C. Louis Collins

Notary Public, residing at
Salt Lake City, Utah

My Commission Expires:
December 27, 1941

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT
IN AND FOR THE COUNTY OF WEBER, STATE OF UTAH

11

ESTATE OF
HYRUM BELNAP

Deceased

#6076

ORDER FIXING DAY

IT IS HEREBY ORDERED that hearing upon the petition of

State Tax Commission of the State of Utah,

.....
.....
.....
.....
.....

..... praying for an order requiring the
Co-administrator with the will annexed to file a supplemental
inventory for inheritance tax purposes,

in the above entitled matter, be had on Monday the 13th day of May
1940, at 10 o'clock A.M., and that notice of such hearing be given according
to law by mailing and posting.

Dated April 27, 1940

LAWRENCE M. MALAN, Clerk,
~~Judge~~

By *Ma E. Bramwell*
Deputy Clerk

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE ESTATE OF

HYRUM BELNAP

Deceased

#6076

NOTICE

THE PETITION OF

Utah State Tax Commission of the State of Utah, praying
for an order requiring the Co-administrator with the
will annexed to file a supplemental inventory for
inheritance tax purposes,

in the above entitled matter,

has been set for hearing before Hon. LEWIS V. TRUEMAN, Judge on Monday
the 13th day of May, 19 40, at 10 o'clock A. M.,

at the County Court House, in the court room of said court, in Ogden City, Weber County, Utah.
Witness, the Clerk of said court, with the seal thereof affixed,
this 1st day of May, 19 40

Garfield O. Anderson and
Grant A. Brown,
Attorneys for State Tax Commission,

LAWRENCE M. MALAN, Clerk
By Mal G. Ramsey
DEPUTY CLERK

In the District Court of Weber County

STATE OF UTAH

ESTATE OF

#6076

HYRUM BELNAP

AFFIDAVIT OF MAILING AND POSTING NOTICES

Deceased.

STATE OF UTAH, } sa.
County of Weber, }

A. M. Allen

of Ogden City, in the said County of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the 1st day of May, 1940 he served notice of the time and place of hearing the petition of the State Tax Commission of the State of Utah praying for an order requiring the Co-administrator with the will annexed to file a supplemental inventory for inheritance tax purposes,

in the above entitled matter,

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

- State Tax Commission, State Capitol Bldg., Salt Lake City, Utah
- Flora Belnap 2149 Madison Ave., Ogden, Utah
- Marion B. Kerr 132 University St., Salt Lake City, Utah
- Olive B. Jensen 2403 Harrison Blvd., Ogden, Utah
- Dr. H. Earl Belnap 346 12th St., Ogden, Utah
- Arias G. Belnap 1111 21st St., Ogden, Utah
- Volney B. Belnap 819 21st St., Ogden, Utah
- Jewel A. Furniss Ammon, Idaho
- Della Belnap 2341 Madison Ave., Ogden, Utah
- Gladys Carwin 355 Parry St., Ogden, Utah
- Byron K. Belnap 904 24th St., Ogden, Utah
- Lois Ellen Foster Belnap, Admx., 2267 Harrison Blvd., Ogden, Utah
- Jos. E. Evans, Esq. Ogden, Utah
- Samuel G. Dye, Esq. Ogden, Utah
- Thatcher & Young, Esqs Ogden, Utah

And deponent further says that on said 1st day of April A. D. 1940, he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be the most likely to reach the parties interested, to-wit:

- One of said notices at the front door of the Court House, in Ogden City, Utah, the same being the place where the said District Court is held.
- One notice at the City Hall Park, in Ogden City, Utah, at the North-east corner thereof.
- One notice at the South east corner of the Postoffice Building, in Ogden City, Utah, off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the

1st day of April 1940

LAWRENCE K. MALAN, Clerk

By *Ma E. Drumm*, Deputy

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR
THE COUNTY OF WEBER, STATE OF UTAH

-----oOo-----
IN THE MATTER OF THE ESTATE) PETITION FOR ORDER DETERMINING
OF HYRUM BELNAP,) THAT NO INHERITANCE TAX IS DUE
Deceased.) Case No. 6076 *112*

-----oOo-----
The petition of Arias G. Belnap and Samuel G. Dye,
respectfully shows unto the above entitled court:

1. That your petitioners are the co-administrators of the estate of Hyrum Belnap, deceased.
2. The estate of said deceased has been duly appraised for inheritance tax purposes, and your petitioners herewith present to the court their return upon forms furnished by the Utah State Tax Commission of the information necessary for the determination of inheritance tax upon the estate of said decedent. Said return is hereto annexed and made a part of this petition.
3. As shown by said return, your petitioners verily believe that no inheritance tax is due the State of Utah upon the estate of Hyrum Belnap, deceased.
4. The names and addresses of persons interested in said estate, and in the matter of inheritance tax, if there is any to be assessed thereon, are as follows:

<u>Name</u>	<u>Address</u>
Flora Belnap Marion E. Kerr	2149 Madison Avenue, Ogden, Utah 132 University St., Salt Lake City, Utah
Olive B. Jensen Dr. A. Earl Belnap	2402 Harrison Blvd., Ogden, Utah 346 - 12th St., Sparks, Nevada
Arias G. Belnap Volney D. Belnap	1111 - 21st St., Ogden, Utah 918 21st Street, Ogden, Utah
Jewel A. Purdiss	Ammon, Idaho

THATCHER & YOUNG
LAWYERS
OGDEN, UTAH

<u>Name</u>	<u>Address</u>
Bella Belnap	2341 Madison Ave., Ogden, Utah
Gladys Carwin	355 Parry St., Ogden, Utah
Byron K. Belnap	904 - 24th St., Ogden, Utah
Lois Ellen Foster Belnap	2267 Harrison Blvd., Ogden, Utah
Utah State Tax. Com.	State Capitol, Salt Lake City, Utah
Samuel G. Dye, co-admin- istrator of the Estate of Hyrum Belnap, deceased	1018 - 24th St., Ogden, Utah
Thatcher & Young, Attorneys for co-admin- istrator	1018 First Security Bank Bldg., Ogden, Utah
Joseph E. Evans, Attorney for co-administrator	Eccles Bldg., Ogden, Utah

WHEREFORE, your petitioners pray that after notice given and hearing had upon this petition, the court make and enter an order and decree, adjudging and decreeing that no inheritance tax is due to the State of Utah from the estate of Hyrum Belnap, deceased.

Your petitioners further pray for such other and further relief as may be just.

Joseph E. Evans
Thatcher & Young
Attorneys for co-administrators.

Samuel G. Dye
Samuel G. Dye
Co-Administrators of the
Estate of Hyrum Belnap, dec-
eased.

STATE OF UTAH)
 : SS.
COUNTY OF WEBER)

Arias G. Belnap, being first duly sworn, deposes and says: That he is one of the petitioners above named, that he has read the foregoing petition, knows the contents thereof and that the same is true of his own knowledge, except as to matters therein stated on information and belief, and as to those matters, he believes it to be true.

Arias G. Belnap

Subscribed and sworn to before me this 3rd day of
April, 1940.

Marjorie Roberson

Notary Public
Residing at Ogden, Utah

My commission expires:

April 12, 1942

In the SECOND District Court in and for WEBER County
STATE OF UTAH
PROBATE DIVISION

In the Matter of the Estate of <u>HYRUM BELNAP</u> , deceased.	INHERITANCE TAX RETURN and ORDER DETERMINING TAX
---	--

The undersigned representative submits to the court the following information as a basis for the determination of the inheritance tax upon the estate of the above named decedent who died September 18, 1938, a resident of Webber Count., Utah.

COMPUTATION OF TAX

1. Gross Estate (Total of Schedule A).....	\$ 20,316 83
2. Less Total Deduction (Total of Schedule B).....	24,674 82
3. Net Estate Subject to Tax.....	\$ 000 00
4. Amount Taxable at 3% <small>(First \$15,000 of Item 3)</small>	\$
5. Amount Taxable at 5% <small>(Next \$50,000 of Item 3)</small>	\$
6. Amount Taxable at 8% <small>(Next \$50,000 of Item 3)</small>	\$
7. Amount Taxable at 10% <small>(Balance of Item 3)</small>	\$
8. Total (same as Item 3).....	\$
9. Tax 3% of Item 4.....	\$
10. Tax 5% of Item 5.....	\$
11. Tax 8% of Item 6.....	\$
12. Tax 10% of Item 7.....	\$
13. Total Tax Due.....	\$ None

STATE OF UTAH }
COUNTY OF Webber } ss.

Arias G. Belnap, being first duly sworn, on oath, deposes and says: That he is the co-administrator of the estate of the decedent named in the submitted return; that the total gross estate is as stated in Item 1; that the total deductions allowable are as stated in Item 2, and they are true to his own knowledge.

Subscribed and sworn to before me this 25th day of April, 1940.

My commission expires Aug 15 1943 Paul Statcher Notary Public residing at Ogden, Utah

Upon consideration of the return submitted herewith, and the schedules attached thereto, and the foregoing computation of the inheritance tax, the State Tax Commission hereby consents that the tax be set at \$.....
STATE TAX COMMISSION

By

ORDER

The matter of determining the amount of the inheritance tax from the estate of HYRUM BELNAP, deceased, on account of the transfers of property of said decedent, coming on this day to be heard and the court having duly considered the return, and other files and records of the court pertinent thereto, and having heard all parties desiring a hearing thereon, it is,

ORDERED, ADJUDGED AND DECREED, that the amount of the inheritance tax due to the State of Utah is \$....., and that the representative of said estate pay to the State Tax Commission said amount, together with interest thereon at the rate of 8% per annum from one year after the death of decedent.

Dated this day of, 19.....

Judge

(Auditor's Stamp)

STATE OF UTAH
STATE TAX COMMISSION
INHERITANCE TAX

INSTRUCTIONS

This return to be filed by executor or administrator within one year after death if decedent's gross estate exceeds \$10,000.00.

Only debts allowed by the court within one year after death will be allowed as deductions.

The tax is due one year after death; delinquent taxes will draw interest at the rate of 8% per annum.

HARRI BELNAP,

(Name of Decedent)

September 19, 1938

(Date of Death)

Arias G Belnap and S G Dye

(Name of Executor)

County Court House, Ogden, Utah

(Address of Executor)

SCHEDULE A

Appraised value of estate for inheritance tax purposes

(1) Real estate	\$ 17,535.00
(2) Personal property	\$ 2,783.83
Total	\$ 20,318.83

SCHEDULE B

Deductions:

(1) Claims allowed by the court within one year after death. Claims to be listed are as follows: (a) Funeral expenses; (b) Expenses of last illness; (c) Taxes due in the State of Utah at time of death; (d) Debts of decedent allowed by the court other than debts listed under (f); (e) Court costs; (f) Debts secured by mortgages or liens on real property at time of death. Give description of property mortgaged, name of mortgagee, principal amount due at date of death of decedent, rate of interest and interest due at date of death.

All items must be fully set forth. Insert additional sheets if more space is needed.

(a) Funeral expenses (E A Larkin & Son) - - - - -		\$ 375.48
(b) Dee Hospital, Ogden - - - - -	\$54.55	
Nurses:		
Mrs A M Harris	35 00	
Miss Danvers	5 00	
Mrs Lamb	5 00	
Mrs L West	50 00	
Vera Johnson	50 00	
Eva W Jones	35 00	150 00
		204 55
(c) Weber County, general taxes - - - - -	1,073.47*	
Ogden City, special taxes - - - - -	12,299.70*	13,373.17
(d) Utah Power & Light Co - - - - -	30.73	
Ogden City Waterworks Department	31.45	
Wilkinson Farm Service	8.47	
Flora Belnap - - - - -	180.00	250.65
(e) Filing fee, termination life estate - -	14.00*	
Publishing of notice of hearing thereon	6.40*	
Publishing of further notice thereon	22.00*	
Publishing notice to creditors	6.00	
Filing inventory and appraisement	10.00	
Premium on bond of co-administrators	55.00	113.40
Total		\$14,317.25

Brought forward - - - - -

\$14,317 25

(2) Executors or administrators commission.....	\$ 357 07
(a) Amount of county appraisal.....	\$ 9,902 48
(3) Widow's statutory interest (not over 1/3 of item 1 schedule A). If this deduction is taken, submit certified copy of will, if any, and certificate from clerk of the court to the effect that widow has not accepted the provisions in the will made for her benefit. Revised Statutes of Utah, 1933, 101-4-4).....	\$ _____
(4) Statutory exemption	\$ 10,000.00
(5) Total deductions (Items 1 to 4)	\$ 24,674 32

STATE OF UTAH }
 COUNTY OF KANE } ss

Arias G. Belnap being first duly sworn deposes and says, that he is co-administrator.

of the estate of Myrum Belnap, deceased; that he has read the foregoing return and knows the contents thereof; that the amounts therein stated under Schedule B, Item (1), have been allowed and approved by the court having jurisdiction of the estate of said deceased or by a judge thereof within one year after date of the death of said deceased, and the items thereof are valid and subsisting claims against said estate, except as the same have been paid, and that the taxes listed are the full true and correct amount of the taxes due in the State of Utah by said decedent or upon property of said decedent at the time of his death, and no more; that the amounts listed as secured by liens or mortgages on real property in the State of Utah is the amount of all such indebtedness owing by said deceased at the time of his death; and that the contents of the return are true to his own knowledge.

Arias G. Belnap

Subscribed and sworn to before me this 25th day of APRIL, A. D. 1940

Paul Hatcher
 Notary Public, residing at
 Ogden, Utah

Aug. 15, 1943
 (My commission expires)

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE ESTATE OF

HYRUM BELNAP

Deceased

#6076

NOTICE

THE PETITION OF

Arias G. Belnap and Samuel G. Dye, co-administrators herein,
praying for an order determining that no inheritance tax
is due on said estate,

in the above entitled matter,

has been set for hearing before Hon. LEWIS V. TRUEMAN, Judge on Monday
the 13th day of May, 19 40, at 10 o'clock A. M.,

at the County Court House, in the court room of said court, in Ogden City, Weber County, Utah.

Witness, the Clerk of said court, with the seal thereof affixed;

this 1st day of May, 19 40

LAWRENCE M. MALAN, Clerk

By *Mar E. Brannwell*
DEPUTY CLERK

Joseph E. Evans, Esq., and
Thatcher & Young, Esqs.,
Attorneys for Petitioners.

In the District Court of Weber County

STATE OF UTAH

ESTATE OF

#6076

HYRUM BELNAP

AFFIDAVIT OF MAILING AND POSTING NOTICES

Deceased.

STATE OF UTAH, } ss.
County of Weber, }

A. M. Allen

of Ogden City, in the said County of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the

1st day of May, 1940, he served notice of the time and place of hearing the petition of Arias G. Belnap and Samuel G. Dye, co-administrators of the estate herein, praying for an order determining that no inheritance tax is due on said estate

in the above entitled matter

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

Flora Belnap	2149 Madison Ave., Ogden, Utah
Marion B. Kerr	132 University St., Salt Lake City, Utah
Olive B. Jenson	2403 Harrison Blvd., Ogden, Utah
Dr. H. Earl Belnap	346 12th St., Sparks, Nevada
Arias G. Belnap	1111 21st St., Ogden, Utah
Volney B. Belnap	918 21 st St., Ogden, Utah
Jewel A. Furniss	Ammon, Idaho
Della Belnap	2341 Madison Ave., Ogden, Utah
Gladys Carwin	355 Parry St., Ogden, Utah
Byron K. Belnap	904 24th St., Ogden, Utah
Lois Ellen Foster Belnap	2267 Harrison Ave., Ogden, Utah
Utah State Tax Commission	State Capitol Bldg., Salt Lake City, Utah
Samuel G. Dye-Co-Admn.	1018 24th St., Ogden, Utah
Thatcher & Young, Esqs	1018 First Security Bank Bldg., Ogden, Utah
Jos. E. Evans, Esq.	Eccles Bldg., Ogden, Utah

And deponent further says that on said 1st day of May A. D. 19⁴⁰, he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be the most likely to reach the parties interested, to-wit:

One of said notices at the front door of the Court House, in Ogden City, Utah, the same being the place where the said District Court is held.

One notice at the City Hall Park, in Ogden City, Utah, at the North-east corner thereof.

One notice at the South east corner of the Postoffice Building, in Ogden City, Utah, off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the

1st day of May, 1940

LAWRENCE M. MALAN, Clerk

By *Lawrence M. Malan*, Deputy

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT

IN AND FOR THE COUNTY OF WEBER, STATE OF UTAH

21,

ESTATE OF

HYRUM BELNAP,

Deceased

#6076

1/12

ORDER FIXING DAY

IT IS HEREBY ORDERED that hearing upon the petition of

Arias G. Belnap and Samuel G. Dye, co-administrators of the estate of Hyrum Belnap, deceased,

praying for an order determining that

no inheritance tax is due on said estate,

in the above entitled matter, be had on Monday the 13th day of May

1940, at 10:00 o'clock A.M., and that notice of such hearing be given according

to law by posting and by mailing notices to each person named in said petition as interested in said proceeding.

Dated April 30, 1940.

LAWRENCE M. MALAN, Clerk,

~~judge~~

By *Mar E. Brannell*
Deputy Clerk

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT, IN AND FOR
THE COUNTY OF WEBER, STATE OF UTAH

<p style="text-align: center;">-----oo0oo-----</p> <p style="text-align: center;">:</p> <p>In the Matter of the Estate of</p> <p style="text-align: center;">HYRUM BELNAP,</p> <p style="text-align: center;">Deceased</p> <p style="text-align: center;">:</p> <p style="text-align: center;">-----oo0oo-----</p>	<p style="text-align: center;">:</p> <p style="text-align: center;">:</p> <p style="text-align: center;">:</p> <p style="text-align: center;">:</p> <p style="text-align: center;">:</p> <p style="text-align: center;">:</p>	<p style="text-align: center;">OBJECTION TO PETITION FOR ORDER DETERMINING THAT NO INHER- ITANCE TAX IS DUE</p> <p style="text-align: right;">No. 6076 <i>1/12</i></p>
--	---	--

Comes now the State Tax Commission of the State of Utah and objects to the "Petition for Order Determining that No Inheritance Tax Is Due", and for grounds of said objection states as follows:

I.

That the State Tax Commission has heretofore filed a petition in the above-entitled matter, praying that this Court order the filing of a supplemental inventory and for other relief; and that the allegations contained in said petition heretofore filed by the State Tax Commission are by this reference incorporated into this objection and made a part hereof.

II.

That the following items claimed as deductions by the petitioners herein are improper and should be disallowed:

Weber County, general taxes	\$ 1,073.47
Ogden City, special taxes	12,299.70
Filing fee, termination life estate	14.00
Publishing of notice of hearing thereon	6.40
Publishing of further notice thereon	22.00

III.

That said items claimed as deductions are improper for the reason that the taxes objected to are taxes on property not included in the inheritance tax report and appraisal, and hence are not obligations of the decedent; further, that the fees for filing and notices above objected to are not costs of administration, nor are such fees in any other manner properly deductible as debts of the decedent as defined in Section 80-12-8, Revised Statutes of Utah, 1933,

WHEREFORE, THE STATE TAX COMMISSION PRAYS:

I.

That the Petition for Order Determining that No Inheritance Tax Is Due

be denied.

II.

That the relief prayed for by the State Tax Commission in its petition, heretofore filed, be granted by this Honorable Court.

Dated this 6 day of May, A. D., 1940.

Garfield Underwood
Grant A. Brown
Attorneys for State Tax Commission

STATE OF UTAH)
 : SS.
COUNTY OF SALT LAKE)

LEO A. JARDINE, being first duly sworn deposes and says: That is an official, to wit, Secretary of the State Tax Commission of the State of Utah; that he has read the foregoing Objection to Petition for Order Determining That No Inheritance Tax Is Due and that the same is true, except as to those matters therein alleged upon information and belief, and as to those matters he believes them to be true.

Leo A. Jardine

Subscribed and sworn to before me this 6 day of May, A. D., 1940.

Louis Collins
Notary Public, Residing At
Salt Lake City, Utah

My Commission Expires:
December 27, 1941

IN THE DISTRICT COURT OF
Weber County, Utah.

21

In the Matter of the Estate)	
of)	
HYRUM BELNAP,)	Petition for Authority to Execute and Deliver Quit Claim Deed.
Deceased.)	(#6076)

To the Honorable Judges of the above-named Court:

Arius C. Belnap and Samuel G. Dye, co-administrators with the will annexed of the estate of Hyrum Belnap, deceased, respectfully show to the Court:

1.

That said Hyrum Belnap died on September 18, 1938, in Ogden City, Weber County, Utah, of which County and State he was a resident at the time of his death; that he left an estate in said County consisting of real and personal property and that letters of administration with will annexed were issued thereon to your petitioners.

2.

That notice to creditors has been duly published, and that inventory and appraisement has been filed herein.

3.

That the following described parcel of real property is listed in said inventory as being owned by said estate, to-wit:

Lots 42, 43, 44 and 45, Block 9, Florence Park Addition to Ogden City, situate in Weber County, Utah;

that because of the failure of said decedent and his said estate to pay the taxes levied and assessed against said property the same was sold for unpaid taxes and went to tax deed, and that Weber County on March 30, 1940, by quit claim deed sold and conveyed said property to one William L. London, who is now residing thereon; that said quit claim deed was recorded on April 8, 1940, in Book A-4 of Quit Claim Deeds at page 157, of the records of the Office of the County Recorder of Weber County, Utah; that said William L. London has now offered to pay to

the estate of said decedent the sum of \$25.00 for a quit claim deed conveying to him whatever right, title and interest said estate may own or claim to own in said property, and that your petitioners consider it to be the interest and advantage of said estate to accept said offer.

WHEREFORE, said administrators pray for a hearing upon this petition, and that at such hearing this court make an order authorizing your petitioners as such administrators with will annexed to execute and deliver to said William H. London a quit-claim deed quit-claiming all of the right, title and interest of said estate and said decedent in and to said property to said William H. London upon his paying the sum of \$25.00, and for such other or further order as may be proper in the premises.

Arius G. Eelnap
Samuel G. Dye
Administrators with Will Annexed

Thatcher & Young and
Joseph E. Evans,
Attorneys for Administrators.

State of Utah)
 : ss
County of Weber)

Arius G. Eelnap and Samuel G. Dye, being first duly sworn, depose and say: We have read the foregoing Petition, and know the contents thereof, and that the same is true.

Arius G. Eelnap
Samuel G. Dye

Subscribed and sworn to before me

this 4th day of MAY, 1940.

J. E. Evans
NOTARY PUBLIC, residing at Ordan, Utah

IN THE DISTRICT COURT
OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE ESTATE OF

HYRUM BELNAP

Deceased

#6076

1/2
NOTICE

THE PETITION OF

Arias G. Belnap and Samuel G. Dye, co-administrators
with will annexed of the estate of Hyrum Belnap,
deceased, praying for authority to execute and deliver
to William H. London for the sum of \$25.00 a quit
claim deed covering the following described real prop-
erty situate in Weber County, Utah, to-wit:

Lots 42, 43, 44 and 45, Block 9, Florence
Park Addition to Ogden City, Utah,

in the above entitled matter,

has been set for hearing before Hon. LEWIS V. TRUEMAN, Judge on Monday
the 20th day of May, 19 40, at 10 o'clock A. M.,

at the County Court House, in the court room of said court, in Ogden City, Weber County, Utah.

Witness, the Clerk of said court, with the seal thereof affixed,

this 8th day of May, 19 40

LAWRENCE M. MALAN, Clerk

Joseph E. Evans, Esq.,
Attorney for Petitioner.

By *Ma E Brammell*
DEPUTY CLERK

In the District Court of Weber County

STATE OF UTAH

ESTATE OF

#6076

HYRUM BELNAP

AFFIDAVIT OF MAILING AND POSTING NOTICES

Deceased.

STATE OF UTAH, } ss.
County of Weber, }

A. M. Allen

of Ogden City, in the said County of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the 8th day of May, 1940, he served notice of the time and place of hearing the petition of Arias G. Belnap and Samuel G. Dye, co-administrators with will annexed herein, praying for authority to execute and deliver to William H. London for the sum of \$25.00 a quit claim deed covering the following described real property situate in Weber County, Utah, ~~xxxxxx~~

in the above entitled matter,

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

18/

- Flora Belnap 2149 Madison Ave., Ogden, Utah
- Marion B. Kerr 132 University St., Salt Lake City, Utah
- Olive B. Jenson 2403 Harrison Blvd., Ogden, Utah
- Dr. H. Earl Belnap 346 12th St., Sparks, Nevada
- Arias G. Belnap 1111 21st St., Ogden, Utah
- Volney B. Belnap 918 21st St., Ogden, Utah
- Jewel A. Furniss Ammon, Idaho
- Della Belnap 2341 Madison Ave., Ogden, Utah
- Gladys Carwin 355 Parry St., Ogden, Utah
- Byron K. Belnap 904 24th St., Ogden, Utah
- Lois Ellen Foster Belnap 2267 Harrison Ave. Ogden, Utah
- Samuel G. Dye 1018 24th St., Ogden, Utah
- Thatcher & Young, Esqs. Ogden, Utah
- Joseph E. Evans, Esq. Ogden, Utah

And deponent further says that on said 8th day of May A. D. 1940, he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be the most likely to reach the parties interested, to-wit:

- One of said notices at the front door of the Court House, in Ogden City, Utah, the same being the place where the said District Court is held.
- One notice at the City Hall Park, in Ogden City, Utah, at the North-east corner thereof.
- One notice at the South east corner of the Postoffice Building, in Ogden City, Utah, off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the

8th day of May, 1940

LAWRENCE M. MALAN, Clerk

By *Wm Allen*
By *Wm E. Bramm*, Deputy

27
✓

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND
FOR THE COUNTY OF WEBER, STATE OF UTAH

-----oOo-----
#6076
L.R.

IN THE MATTER OF THE ESTATE) PETITION FOR AUTHORITY
OF HYRUM BELNAP, Deceased.) TO COMPROMISE INHERITANCE
) TAX

-----oOo-----

The petition of Arias G. Belnap and Samuel
G. Dye respectfully shows unto the above entitled court:

1. Your petitioners are the co-administrators of the estate of Hyrum Belnap, deceased.
2. Your petitioners have heretofore filed herein an inheritance tax return and their petition for an order determining that no inheritance tax is due the State of Utah from the estate of Hyrum Belnap, deceased. To that petition the Utah State Tax Commission has filed objections. The petition aforesaid of your petitioners with the objections of the Utah State Tax Commission on file herein are hereby referred to and by this reference incorporated in this petition.
3. Your petitioners and the Utah State Tax Commission have entered into an accord, subject to confirmation by the above named court, by which the asserted and disputed obligation of the estate of Hyrum Belnap, deceased, to the State of Utah for inheritance taxes may be satisfied and fully compromised and settled by payment to the Utah State Tax Commission by your petitioners out of the funds of the estate of the sum of One Hundred Twenty Nine and 21/100 Dollars (\$129.21). The said sum has been arrived at by each party conceding fifty percent of his contentions.
4. The chief point of law raised by the objections of the State Tax Commission is one of considerable

1.

THATCHER & YOUNG
LAWYERS
GODDEN, UTAH

difficulty and the attorneys for the commission have asserted that in the event the matter is contested, any decision which might be rendered against the Utah State Tax Commission would be appealed and further litigated in the Supreme Court of the State of Utah. Such procedure would be very expensive and would cost substantially more than the amount to be paid by your petitioners out of the estate of the decedent under the proposed accord and satisfaction.

For these reasons your petitioners verily believe that it is for the best interest of the estate of the decedent and of all persons interested therein that the said accord be approved and that the court authorize petitioners to pay the said sum to the Utah State Tax Commission in full settlement of the asserted liability of the estate of Hyrum Belnap, deceased, for inheritance tax to the State of Utah.

WHEREFORE your petitioners pray that, after due notice given and hearing had, the court confirm and ratify the said accord and authorize your petitioners to pay to the Utah State Tax Commission out of the funds of said estate the sum of One Hundred Twenty Nine and 21/100 dollars (\$129.21) in full satisfaction thereof and of the asserted liability of said estate to the State of Utah for inheritance taxes.

Petitioners further pray for such other and further relief as may be just.

Thatcher & Young
W. L. Evans
Attorneys for Petitioners.

Alvin C. Belnap
James G. Dye
Administrators with the will
annexed of the estate of Hyrum
Belnap, deceased.

Petitioners.

STATE OF UTAH)
 : SS.
COUNTY OF WEBER)

ARIAS G. BELNAP, being first duly sworn, deposes and says: That he is one of the petitioners above named, that he has read the foregoing Petition for Authority to Compromise Inheritance Tax, knows the contents thereof and that the same is true of his own knowledge, except as to matters therein stated to be on information and belief, and as to those matters, he believes it to be true.

Arias G. Belnap

Subscribed and sworn to before me this 11th
day of May, 1940.

Paul Thatcher
Notary Public

MY COMMISSION EXPIRES:

Residing at Ogden, Utah

Aug. 15, 1943

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT

IN AND FOR THE COUNTY OF WEBER, STATE OF UTAH

ESTATE OF

HYRUM BELNAP,

Deceased

L.R.
ORDER FIXING DAY

(#6076)

IT IS HEREBY ORDERED that hearing upon the petition of

~~Arms G. Belnap and Samuel G. Dye, co-administrators with will~~
~~annexed of the estate of Hyrum Belnap, deceased, praying for~~
~~authority to execute and deliver to William H. London for the sum~~
~~of \$25.00 a quit claim deed covering the following described real~~
~~property situate in Weber County, Utah, to-wit:~~

~~Lots 42, 43, 44 and 45, Block 9, Florence Park Addition to~~
~~Ogden City, Utah,~~

in the above entitled matter, be had on ~~Monday,~~ the ~~20th~~ day of ~~MAY,~~
1940, at ~~ten~~ o'clock ~~A.~~ M., and that notice of such hearing be given according
to law ~~by mailing and posting.~~

Dated ~~May 8th~~, 1940.

LAWRENCE M. MALAN, Clerk,
~~Judge~~

By *Wm. E. Brannan*
Deputy Clerk

2

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND
FOR THE COUNTY OF WEBER, STATE OF UTAH

----- ooo-----
IN THE MATTER OF THE ESTATE) #6076
OF HYRUM BELNAP, Deceased.) ORDER FIXING DAY
)

----- ooo-----
IT IS HEREBY ORDERED that hearing upon the
petition of Arias G. Belnap and Samuel G. Dye, co-administrators
of the estate of Hyrum Belnap, deceased, praying for authority
to compromise inheritance tax, more fully described in said
petition, be had on Monday the 27th day of May, 1940, at
ten o'clock A. M., and that notice of hearing be given accord-
ing to law, by posting and mailing notices.

DATED, May 14th, 1940.

Lawrence M. Melan
Clerk

Wm. E. Brammer
Deputy

IN SENATE COURT OF
NEBER COUNTY, UTAH.

In the latter of the estate)
 of)
MYRUM BELNAP,)
 Deceased.)

AR
ORDER AUTHORIZING ADMINISTRATORS TO
EXECUTE AND DELIVER QUIT CLAIM DEED.
(#6076)

The petition of Arias G. Belnap and Samuel G. Dye, as co-administrators with will annexed of the estate of Myrum Belnap, deceased, for authority to execute and deliver quit claim deed covering Lots 42, 43, 44 and 45, Block 9, Florence Park Addition to Ogden City, Utah, to William H. London for the sum of \$25.00, ^{having come on to be heard this day,} of the hearing whereof due notice was given in accordance with previous direction of the court, and the same having been duly considered, and it appearing that the allegations of the petition are true and that it is for the best interest and advantage of the estate of said decedent to quit claim its interest in said property for said consideration,

Now, upon motion of Joseph E. Evans, of counsel for said administrators, it is

ORDERED that the prayer of said petition be and it hereby is granted, and said Arias G. Belnap and Samuel G. Dye, co-administrators with will annexed herein, are authorized to sign, execute and deliver to William H. London quit claim deed quit-claiming to him all the right, title and interest of the estate of said decedent in and to the following described real property situate in Neber County, Utah, to-wit:

Lots 42, 43, 44 and 45, Block 9, Florence Park Addition to Ogden City, Utah,

upon his paying the sum of twenty-five Dollars.

Done in open court this 20th day of May, 1940.

Lewis V. Trueman

Judge

IN THE DISTRICT COURT
OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE ESTATE OF

HYRUM BELNAP

Deceased

#6076

1/2
NOTICE

THE PETITION OF

Arias G. Belnap and Samuel G. Dye, Co-administrators
herein, praying for authority to compromise inheritance
tax,

in the above entitled matter,

has been set for hearing before Hon. LEWIS V. TRUEMAN, Judge on Monday
the 27th day of May, 19 40, at 10 o'clock A. M.,

at the County Court House, in the court room of said court, in Ogden City, Weber County, Utah.

Witness, the Clerk of said court, with the seal thereof affixed,

this 15th day of May, 19 40

LAWRENCE M. MALAN, Clerk

Thatcher & Young, Esqs.,
Attorneys for Petitioners.

By *Mar E. R. Arnold*
DEPUTY CLERK

In the District Court of Weber County

STATE OF UTAH

ESTATE OF

#6076

HYRUM BELNAP

AFFIDAVIT OF MAILING AND POSTING NOTICES

Deceased.

STATE OF UTAH, } ss.
County of Weber, }

A. M. Allen

....., of Ogden City, in the said County of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the 15th day of May, 1940, he served notice of the time and place of hearing the petition of Arias G. Belnap and Samuel G. Dye, co-administrators, praying for authority to compromise inheritance tax, more fully described in the petition,

in the above entitled matter,

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

Flora Belnap	2149 Madison Ave., Ogden, Utah
Marion B. Kerr	132 University St., Salt Lake City, Utah
Olive B. Jenson	2403 Harrison Blvd., Ogden, Utah
Dr. H. Earl Belnap	346 12th st. Sparks, Nevada
Arias G. Belnap	1111 21st St., Ogden, Utah
Volney B. Belnap	918 21st St., Ogden, Utah
Jewel A. Furniss	Armon, Idaho
Della Belnap	2341 Madison Ave., Ogden, Utah
Gladys Carwin	355 Parry St., Ogden, Utah
Byron K? Belnap	904 24th St., Ogden, Utah
Lois Ellen Foster Belnap	2267 Harrison Blvd., Ogden, Utah
Samuel G. Dye	1018 24th St., Ogden, Utah
Thatcher & Young, Esqs	Ogden, Utah
Joseph E. Evans, Esq.	Ogden, Utah
State Tax Commission	Capitol Bldg., Salt Lake City, Utah

And deponent further says that on said 15th day of May A. D. 1940, he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be the most likely to reach the parties interested, to-wit:

One of said notices at the front door of the Court House, in Ogden City, Utah, the same being the place where the said District Court is held.

One notice at the City Hall Park, in Ogden City, Utah, at the North-east corner thereof.

One notice at the South east corner of the Postoffice Building, in Ogden City, Utah, off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the

15th day of May, 1940

LAWRENCE M. MALAN, Clerk

By *Mac E. Brannon*, Deputy

6076¹²

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR
THE COUNTY OF WEBER, STATE OF UTAH

- - - - -oOo- - - - -

IN THE MATTER OF THE ESTATE) STIPULATION FOR COMPROMISE
) OF INHERITANCE TAX AND FOR
OF HYRUM BELNAP, Deceased) ORDER FIXING AMOUNT OF IN-
) HERITANCE TAX DUE.

- - - - -oOo- - - - -

WHEREAS, Arias G. Belnap and Samuel G. Dye, co-administrators with the will annexed of the estate of Hyrum Belnap, deceased, have filed with this court an inheritance tax return and a petition for an order determining that no inheritance tax is due the State of Utah from the estate of the said testator, and

WHEREAS, the Utah State Tax Commission has filed objections to said return and petition, objecting to certain deductions claimed by said co-administrators and contending that there should be included in the gross estate of the decedent certain lands conveyed away by the testator during his life time upon the ground that said lands constitute a grant or gift intended to take effect in possession or enjoyment at or after his death, which contention the co-administrators deny and dispute, and

WHEREAS, the questions of law and of fact are difficult of determination and the liability of the estate of the testator is doubtful.

NOW, THEREFORE, it is stipulated and agreed by and between the Utah State Tax Commission and Arias G. Belnap and Samuel G. Dye, co-administrators as aforesaid, through their

1.

respective counsel, subject to the approval of the above entitled court, that the asserted liability of the estate of Hyrum Belnap, deceased, for inheritance tax to the State of Utah may be, and it is compromised and compounded for the sum of One Hundred Twenty Nine and 21/100 Dollars (\$129.21), to be paid by the co-administrators with the will annexed of the estate of said testator in full satisfaction of said asserted liability for inheritance tax and that the said court may make and enter an order determining that there is due the State of Utah as inheritance tax from the estate of said testator the said sum of One Hundred Twenty Nine and 21/100 Dollars (\$129.21), and that upon payment of said sum to the Utah State Tax Commission the lien against the property of the testator shall be discharged.

DATED this 27th day of May, 1940.

Thatcher & Young

J. E. Evans

Attorneys for the co-administrators with the will annexed of the estate of Hyrum Belnap, deceased.

Garfield Anderson

Attorney for Utah State Tax Commission.

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND
FOR THE COUNTY OF WEBER, STATE OF UTAH

-----oOo----- *LR*

IN THE MATTER OF THE ESTATE) *# 6076*
OF HYRUM BELNAP, Deceased.) ORDER AUTHORIZING COMPROMISE
) OF INHERITANCE TAX.

-----oOo-----

The petition of Arias G. Belnap and Samuel G. Dye, co-administrators with the will annexed of the estate of Hyrum Belnap, deceased, coming on regularly for hearing this 27th day of May, 1940, pursuant to notice duly given for the time and in the manner required by law and the previous order of this court, and it appearing to the court that the State of Utah, by and through the Utah State Tax Commission, seeks to charge the estate of Hyrum Belnap, deceased, with inheritance tax under the provisions of Chapter 12, Title 8 of Revised Statute of Utah, 1933, as amended, and the estate is so disposed and is of such a nature that its liability for inheritance tax as aforesaid is doubtful, and it further appearing that the said administrators with the will annexed of said estate and the Utah State Tax Commission have, subject to confirmation by this court, in writing stipulated and agreed that the asserted liability of said estate may be compromised and compounded by payment to the Utah State Tax Commission out of the funds of said estate of the sum of One Hundred Twenty Nine and 21/100 Dollars (\$129.21) in full settlement and satisfaction of the asserted liability of said estate for inheritance tax, and it further appearing that said compromise and settlement is fair and just and is for the best interest of all concerned.

L.

THATCHER & YOUNG
LAWYERS
OGDEN, UTAH

IT IS ORDERED, ADJUDGED AND DECREED, that the said accord entered into by said administrators and the Tax Commission be and it is hereby ratified, approved and confirmed and the said compromise and compounding of the asserted tax liability is ratified, approved and confirmed; that said administrators be and they are authorized and directed to pay to the Utah State Tax Commission in full settlement of the asserted liability of the Estate of Hyrum Belnap, deceased, for inheritance tax the sum of One Hundred Twenty Nine and 21/100 Dollars (\$129.21) and the said Tax Commission is authorized and directed to receive said sum in full satisfaction of said asserted liability and that upon payment thereof the inheritance tax due the State of Utah will be fully compounded, compromised and settled and the lien upon the property of said estate for inheritance tax shall thereupon be discharged.

DATED THIS 27th Day of May, 1940.

Lewis V. Furman
District Judge.

IN THE DISTRICT COURT OF

Weber County, Utah.

21

In the Matter of the Estate)
of)
HYRUM BELNAP,)
D e c e a s e d .)

1/2
FINAL ACCOUNT AND REPORT AND PETITION
FOR APPROVAL, ALLOWANCE AND SETTLE-
MENT THEREOF and FOR DISTRIBUTION OF
ESTATE AND DISCHARGE OF ADMINISTRA-
TORS WITH WILL ANNEXED. (#6076)

To the Honorable Judges of the above-named Court:

Arias G. Belnap and Samuel G. Dye, Co-administrators with will
annexed of the estate of Hyrum Belnap, deceased, respectfully show:

1.

That Hyrum Belnap died testate on September 18, 1938, at Ogden
City, Weber County, State of Utah, of which County and State he was a
resident at the time of his death; that on November 28, 1938, a certain
document purporting to be the last will and testament of said decedent
was admitted to probate as the last will and testament of said decedent,
and that on said day Arias G. Belnap, one of your petitioners, and
Hyrum A. Belnap were duly appointed administrators with will annexed
of the estate of said decedent, and that on December 5, 1938, they
qualified as such administrators and letters of administration with the
will annexed were issued to them; that they acted as such co-adminis-
trators with the will annexed until January 20, 1940, when said Hyrum
A. Belnap died; that on February 8, 1940, your petitioner Samuel G.
Dye was duly appointed to succeed said Hyrum A. Belnap as co-adminis-
trator herein, and that on February 27, 1940, he qualified as such
co-administrator and letters of administration with the will annexed
were issued to him, and he and said Arias G. Belnap have since continued
to act as such co-administrators herein.)

2.

That as shown by the first account and report, filed herein on
March 6, 1939, notice to creditors was published in Ogden Standard-

Examiner; that proof of such publication was filed herein on March 20, 1939, and that decree that due and legal notice to the creditors of said decedent has since been signed and filed herein; that the following claims were presented within time, allowed for payment and paid, to-wit:

Utah Power & Light Co - - - -	\$30 73
Ogden City Waterworks	31 45
Wilkinson Farm Service	8 47
Flora Belnap	<u>180 00</u>
Total - - -	\$250.65

3.

That inventory and appraisement was filed herein on March 6, 1939, and that supplemental inventory and appraisement was filed herein on September 8, 1939, the same being made part hereof by reference.

4.

That on March 21, 1940, pursuant to statutory notice, the estate of said decedent was duly appraised by the Weber County inheritance tax appraisers; that their appraisement of the estate of said decedent amounted to the sum of \$20,301.83; and that the inheritance tax due from said estate to the State of Utah, pursuant to written stipulation of the State Tax Commission and the order entered thereon of this court, filed herein on May 27, 1940, was the sum of \$129.21, which has been fully paid, voucher showing such payment being presented herewith.

5.

That hereunto annexed, marked "Exhibit A" and made a part hereof, is a true statement showing receipts and disbursements of cash by the administrators herein from September 16, 1938, including and supplementing items set forth in the first account and report filed herein on March 6, 1939, but excluding receipts and disbursements since March 15, 1939, of rentals and income from the properties divided among the heirs at law of said decedent by an exchange of quit claim deeds and hereinafter particularly described.

6.

That on September 11, 1939, the eleven children of said decedent, they being all of his heirs at law and of adult age, divided among

themselves by quit claim deed the real property owned by said decedent as follows:

To H. Earl Belnap, Arias G. Belnap, Volney B. Belnap, Jewel B. Furniss, Della Belnap, Gladys B. Carwin and Byron K. Belnap, the tracts described as follows:

A part of Lot 7, Block 23, Plat "A" of Ogden City Survey: Beginning at a point 81 feet South of the Northeast corner of said Lot 7, and running thence West 83.82 feet; thence South 29 feet; thence West 50 feet; thence South 22 feet, more or less, to the South line of said Lot 7; thence East 132 feet, more or less, to a point South of beginning; thence North 51 feet to beginning;

Also: A part of Lot 7, Block 24, Plat "A" of Ogden City Survey: Beginning at the Northeast corner of said Lot 7, and running thence South 330 feet; thence West 1 foot; thence North $17\frac{1}{2}$ feet; thence West 126 feet; thence North 147.5 feet; thence East 63.5 feet; thence North 165 feet; thence East 63.5 feet to beginning;

(Deed recorded in Book 134 of Deeds at page 485, of the records of Weber County Recorder.)

To Flora Belnap, Marion B. Kerr, Olive B. Jenson and Hyrum A. Belnap, the tracts described as follows:

The South one-half of the East one-half of Lot 9, Block 43, Plat "A", Ogden City Survey;

Also: Beginning 45 feet 8 inches East from the Northwest corner of said Lot 7, Block 32, Plat "A", Ogden City Survey; thence South 100 feet; thence West 15 feet 8 inches; thence South 32 feet; thence East 80 feet; thence North 132 feet; thence West to beginning;

Also: A part of Lots 9 and 10, Block 24, Plat "A", Ogden City Survey: Beginning 93 feet West of the Northeast corner of said Lot 10 and running thence West 50 feet; thence South 85 feet; thence East 50 feet; thence North 85 feet to beginning; together with a right of way over an alleyway adjoining said property on the South and running its entire length and East to Grant Avenue and West to the end of the Thomas property where it turns North and goes to 24th Street, it being 8 feet 4 inches wide on 24th Street and 11 feet wide on Grant Avenue;

Also: Lots 16 to 17 in Block 4; Lots 17 to 20 in Block 5; Lots 3 to 6, 14 to 17, and 26 to 29 in Block 13; Lots 6 to 11, 42 to 46, and 55 to 60, in Block 9, all in Florence Park Addition to Ogden City, Utah. Also Lots 13 to 18, Block 2, and Lots 11 to 16, Block 3, all in Belnap Addition to Ogden, Utah. The above descriptions include the first and last lots mentioned in each case;

(Deed recorded in Book 133 of Deeds at pages 549 to 553, of the records of the Office of the County Recorder of Weber County.)

All above described property is situate in Weber County, Utah.

7.

That pursuant to the memorandum agreement under which said tracts

of land were distributed among themselves by said heirs at law of the decedent, which is dated March 30, 1939, there was paid out of the funds of the estate of said decedent to Hyrum A. Belnap, Olive B. Jenson, Marion B. Kerr and Flora Belnap on said day the sum of \$474.28, as shown by Exhibit A hereto.

8.

That the books, records, magazines, papers, letters, correspondence and manuscripts mentioned and described in the supplemental inventory filed herein on September 8, 1939, have never come to the knowledge or possession of your petitioners as administrators herein, and that your petitioners have been informed and believe that said records, etc, are in the possession of certain of said children of said decedent and that they are willing to deposit them with the Genealogical Society of Utah of the L. D. S. Church at Salt Lake City, Utah, for safekeeping and reference purposes -- that is, if satisfactory arrangements can be made with said Society, and your petitioners recommend that this Court make disposition thereof accordingly.

9.

That the costs, charges and expenses of administration herein have been paid; that the funeral bill and the expenses of the last illness of decedent have been paid, together with all known charges against said estate, and that said estate is now in a condition to be closed.

10.

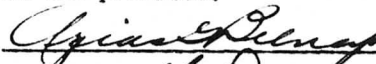

That there is now in the hands of your petitioners for equal distribution among the ten surviving children of said decedent and the heirs at law of said Hyrum A. Belnap, deceased, by representation, 701 shares of Strong's Canyon Water stock and 104 shares of Belnap Water Company stock.

11.

That said decedent left as his heirs at law, devisees and legatees the following named children, all of adult age, now residing at the addresses named, to-wit:

<u>Name</u>	<u>Address</u>
FLORA BELNAP	2149 Madison Ave, Ogden, Utah;
MARION B. KERR	132 University St, Salt Lake City, Utah;
OLIVE B. JENSEN	2403 Harrison Blvd, Ogden, Utah;
LOIS ELLEN FOSTER BELNAP, as Administratrix of the Estate of Hyrum A. Belnap, deceased	2267 Harrison Blvd, Ogden, Utah;
Dr. H. EARL BELNAP	346 12th Street, Sparks, Nevada;
ARIAS G. BELNAP	1111 21st Street, Ogden, Utah;
VOLNEY B. BELNAP	918 21st Street, Ogden, Utah;
JEWEL A. FURNISS	Ammon, Idaho;
DELLA BELNAP	2341 Madison Ave, Ogden, Utah;
GLADYS CARWIN	355 Parry Street, Ogden, Utah;
BYRON K. BELNAP	904 24th Street, Ogden, Utah.

WHEREFORE, your petitioners pray that after notice given and proceedings had as required by law, their final account and report this day filed be approved, allowed and settled; that the real property particularly described in the paragraph designated 6 hereof, except Lots 42, 43, 44 and 45, Block 9, Florence Park Addition to Ogden City, Utah, which have already been quit-claimed by your petitioners to William H. London, pursuant to order made and entered herein on May 20, 1940, be distributed in accordance with the quit claim deeds heretofore exchanged by the heirs of decedent and recorded; that said 701 shares of the capital stock of Strong's Canyon Water Company and 104 shares of the capital stock of Belnap Water Company be distributed equally among said heirs -- that is, one-eleventh thereof to each of the ten surviving children and one-eleventh to the heirs at law of Hyrum A. Belnap, deceased; that said family records, books, magazines, papers, letters, correspondence, manuscripts be ordered deposited by those in possession thereof with the Genealogical Society of Utah of the Church of Jesus Christ of Latter-day Saints at Salt Lake City, Utah, for safe-keeping and reference, or be distributed in common among the heirs at law of said decedent; that the administration of said estate be brought to a close and your petitioners be discharged from their trust as such administrators with the will annexed; and that such other or further order may be made as may be proper in the premises.



 Administrators with Will Annexed

Thatcher & Young and Paul Thatcher, Esqs.,
Joseph E. Evans, Esq.,
Attorneys for Petitioners.

State of Utah)
 : ss
County of Weber)

Arias G. Belnap and Samuel G. Dye, being first sworn, on their oath depose and say:

We are the petitioners above-named; that we have read the foregoing final account and report and petition for approval, allowance and settlement thereof and for distribution of the residue of said estate and the closing of administration thereof, and know the contents thereof, and that the same is true and correct, except as to the matters therein stated on information and belief, and that as to those matters we believe the same to be true.

Arias G. Belnap
Samuel G. Dye

Subscribed and sworn to before me
this 8th day of JULY, 1940.

W. G. Evans
NOTARY PUBLIC, residing at Ogden, Utah

RECEIPTS:

Cash in bank (Savings \$1,798.05; checking \$871.68; accrued interest on savings \$17.98) - - - - -	\$2,687 71
Rent collected by A.G.Belnap to March 15, 1939 - - - - -	258 95
Rent collected by Hyrum A. Belnap to March 15, 1939 - - - - -	1,204 95
Dividend from Ogden State Bank, in liquidation - - - - -	238 67
Rentals from Strong's Canyon Water Co stock - - - - -	95 50
Contributions by heirs - - - - -	62 47
Total receipts	<u>\$4,548 25</u>

DISBURSEMENTS:

Expense of last illness of decedent - - - - -	\$204 55
Funeral expense - - - - -	375 48
Filing fee, re termination of life estate - - - - -	14 00
Premium on bond given by Administrators - - - - -	55 00
Publication of notices of hearings on petitions - - - - -	6 40
Publication of notice of termination of life estate - - - - -	22 00
Publication of notice to creditors - - - - -	6 00
Taxes paid - - - - -	1,073 47
Allowed claims: Utah Power & Light - - - \$30 73	
Ogden City Waterworks 31 45	
Wilkinson Farm Service 8 47	
Flora Belnap 180 00	250 65
Miscellaneous: Telephone \$3 00; safety deposit box \$3 70; Jenkins \$5 60; funeral transcription \$7 50 -- total - - - - -	19 80
Filing inventory and appraisal - - - - -	10 00
Administrators' fees: A G Belnap and H A Belnap, each \$100 00 - - - - -	200 00
Hyrum A. Belnap, account attorney's fees - - - - -	50 00
(All above items listed in First Account and approved)	
Ogden Troy Laundry, laundering clothes of decedent - - - - -	3 05
Repairs and insurance: Jack Bishop \$39 40	
Jenkins 7 56	
Insurance 34 84	81 80
Flowers for funeral (Paid by H A Belnap) - - - - -	13 26
Special improvement taxes, 355 23rd Street, Ogden - - - - -	207 95
Charge by bank on overdraft - - - - -	50
Slade Transfer Co, drayage - - - - -	1 00
Expense on buildings: Gilbert Belnap - - - - - \$67 50	
<i>2415 Lincoln, except by 22 on 275-24K. Ogden, Utah</i> Harlow Campbell 32 00	
Vernal Campbell 9 00	
Robert Allred and Ellis Fife (\$12 50 and \$105 20) 117 70	
Minnoch and L. Allred 27 62	
L. Allred (\$10 and \$64 88) 74 88	
E. C. Burnsides 45 00	
Griffin Paint Co 95 55	
Arthur Halverson 443 89	
Melvin Ashbaker 10 00	
Lawrence Yearsley 1 50	
Ellis Fuel Co 7 65	
Asael Farr Coal Co 7 14	
Lighthouse Electric 17 63	
Associated Builders Supply 65 43	1022 49
Certified copies of Letters of Administration - - - - -	1 00
Second premium on bond - - - - -	40 00
Assessments on stock held in Strong's Canyon Water Co - - - - -	92 53
Income tax paid to State of Utah for year 1939 - - - - -	5 03
Income tax paid to U S A for year 1939 - - - - -	4 12
Inheritance tax paid to Utah State Tax Commission - - - - -	129 21
Hyrum A. Belnap, balance of his attorney's fees - - - - -	59 68
Paul Thatcher, for brief (Inheritance Tax) - - - - -	25 00
Paul Thatcher and Joseph E. Evans, \$50. each - - - - -	100 00
Distributed to Hyrum A. Belnap, Olive B. Jenson, Marion B. Kerr and Flora Belnap all money on hand on March 15, 1939, pursuant to agreement - - - - -	<u>474 28</u>
Balance cash on hand - - - - -	<u>\$4,548 25</u>
Balance cash on hand - - - - -	000 00

In the District Court of the Second Judicial District
OF THE STATE OF UTAH, IN AND FOR THE COUNTY OF WEBER

ESTATE OF

CERTIFICATE OF PROOF OF WILL AND
FACTS FOUND
(#6076)

HYRUM BELNAP,

Deceased ;

STATE OF UTAH, }
County of Weber, } ss.

I, Lester A. Wade, Judge of the said District Court,
do hereby certify, that on the 5th day of December, 1938,
the annexed instrument was admitted to probate as the last will and testament of

Hyrum Belnap, deceased, and, from the proofs taken and the exam-

inations had therein, the said Court finds as follows:

That said Hyrum Belnap died on or about the
18th day of September, 1938, in the County of Weber, State
of Utah; that at the time of his death he was a resident of the County of Weber, afore-
said, State of Utah; that the said annexed will was duly executed by the said decedent, in the County
of Weber, State of Utah, and ~~signed by the said testator~~
~~in the presence of~~ entirely written, dated and signed by the hand of
the testator himself;

~~the said will was executed in the presence of two witnesses, who were present at the time of its execution and who were present at the time of its admission to probate and who were present at the time of its execution and who were present at the time of its admission to probate and who were present at the time of its execution and who were present at the time of its admission to probate~~
olographic
time of executing said will, was at the age of eighteen years and upwards, was of sound and disposing
mind, and not under duress, menace, fraud, or undue influence, nor in any respect incompetent to de-
vice and bequeath his estate.

In witness whereof, I have signed this certificate, and caused the same to be attested by the Clerk
of said Court, under the seal thereof, this 8th day of July, 1940.

Lawrence M. Maloney
Lester A. Wade
Judge.

Attest:
Thos. H. Murray Deputy

By _____ Deputy.

IN THE DISTRICT COURT

Of the Second Judicial District

In and for the County of Weber, State of Utah

ESTATE OF

.....

HYRUM BELNAP,

Deceased.

F.B.
**Decree Showing that Due and Legal
Notice to Creditors Has Been Given**
(#6076)

It appearing to the satisfaction of this Court that due and legal notice to the creditors of said estate has been given:

It is hereby ordered, adjudged and decreed, that legal notice to the creditors of said HYRUM BELNAP, deceased has been given; that the same is established of record, and this decree be entered in the minutes of said Court, and recorded.

Lester A. Wade Judge

Dated JULY 5th, 1940.

IN THE DISTRICT COURT OF
Weber County, Utah.

In the Matter of the Estate)
)
) ORDER FIXING DAY. (#6076) ¹²
HYRUM BELNAP,)
)
) D e c e a s e d .)

IT IS HEREBY ORDERED that hearing upon the petition of Arias G. Belnap and Samuel G. Dye, co-administrators with will annexed of the estate of Hyrum Belnap, deceased, praying for the approval, allowance and settlement of their final account and report; for distribution of the real estate owned by said estate to the persons entitled thereto in accordance with quit claim deeds heretofore exchanged between the heirs at law of decedent; for equal distribution of 701 shares of the capital stock of Strong's Canyon Water Co and 104 shares of the capital stock of Belnap Water Co -- i. e., one-eleventh thereof to each of the ten living children of decedent and one-eleventh thereof to the heirs at law of Hyrum A. Belnap, deceased; for deposit of the family records, books, magazines, papers, letters, correspondence, manuscripts of decedent, now in possession of certain of decedent's children, with the Genealogical Society of Utah of the Church of Jesus Christ of Latter-day Saints at Salt Lake City, Utah, for safekeeping and future reference, or for their distribution in common among the heirs at law of decedent; and for the closing of said estate and the discharge of said administrators and the exoneration of their bond, in the above-entitled matter, be had on Monday, the 22nd day of July, 1940, at two o'clock P. M., and that notice of such hearing be given according to law by mailing and posting.

Dated JULY 1st, 1940.

Lawrence M. Maloy
Clerk

By Max E. Brannan
Deputy Clerk

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE ESTATE OF

HYRUM BELMAP

Deceased

#6078

112
NOTICE

THE PETITION OF Arias G. Belnap and Samuel G. Dye,

co-administrators with will annexed of the estate of Hyrum Belnap, deceased, praying for the approval, allowance and settlement of their final account and report; for distribution of the real estate owned by said estate to the persons entitled thereto in accordance with quit claim deeds heretofore exchanged between the heirs at law of decedent; for equal distribution of 701 shares of the capital stock of Strong's Canyon Water Co. and 104 shares of the capital stock of Belnap Water Co.- I.E., one eleventh thereof to each of the ten living children of decedent and one-eleventh thereof to the heirs at law of Hyrum A. Belnap, deceased; for deposit of the family records, books, magazines, papers, letters, correspondence, manuscripts of decedent, now in possession of certain of decedent's children, with the Genealogical Society of Utah of the Church of Jesus Christ of Latter-Day Saints at Salt Lake City, Utah, for safekeeping and future reference, or for their distribution in common among the heirs at law of decedent; and for the closing of said estate and the discharge of said administrators and the exoneration of their bond,

in the above entitled matter,

has been set for hearing before Hon. LESTER A. WADE, Judge on Monday
the 22nd day of July, 1940, at two o'clock P. M.,

at the County Court House, in the court room of said court, in Ogden City, Weber County, Utah.

Witness, the Clerk of said court, with the seal thereof affixed,

this 10th day of July, 1940

LAWRENCE M. MALAN, Clerk

Thatcher & Young and Paul Thatcher,
Joseph E. Evans Esqs.,
Attorneys for Petitioners.

By Ma E. Brammer
DEPUTY CLERK

In the District Court of Weber County

STATE OF UTAH

ESTATE OF

#6076

HYRUM BELNAP

AFFIDAVIT OF MAILING AND POSTING NOTICES

Deceased.

STATE OF UTAH, } ss.
County of Weber, }

A. M. Allen

....., of Ogden City, in the said County of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the 10th day of July, 1940, he served notice of the time and place of hearing on the petition of Arias G. Belnap and Samuel G. Dye, co-administrators with will annexed of the above estate, praying for distribution of real estate; approval of final account; for equal distribution of Strong's Canyon Water Co. and capital stock of Belnap water Co., and for deposit of family records, books, etc. with the genealogical society of Utah of Ch. J.C. of L.D.S. at Salt Lake City, distribution, close of estate, discharge of admrs., and exoneration of bond, in the above entitled matter,

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

- Flora Belnap 2149 Madison Ave., Ogden, Utah
- Marion B. Kerr 182 University St., Salt Lake City, Utah
- Olive B. Jensen 2403 Harrison Blvd., Ogden, Utah
- Lois Ellen Foster Belnap, Admx 2267 Harrison Blvd., Ogden, Utah
- Dr. H. Earl Belnap 346 12th St., Sparks, Nevada
- Arias G. Belnap 1111 21st St., Ogden, Utah
- Volney B. Belnap 918 21st St., Ogden, Utah
- Jewel A. Furniss Ammon, Idaho
- Della Belnap 2341 Madison Ave., Ogden, Utah
- Gladys Carwin 355 Parry St., Ogden, Utah
- Byron K. Belnap 904 24th St., Ogden, Utah
- Thatcher & Young and Paul Thatcher, Ogden, Utah
- Jos. E. Evans, Esq. Ogden, Utah

And deponent further says that on said 10th day of July

A. D. 19 40, he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be the most likely to reach the parties interested, to-wit:

One of said notices at the front door of the Court House, in Ogden City, Utah, the same being the place where the said District Court is held.

One notice at the City Hall Park, in Ogden City, Utah, at the North-east corner thereof.

One notice at the South east corner of the Postoffice Building, in Ogden City, Utah, off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the

10th day of July, 1940

LAWRENCE M. MALAN

Clerk

By *Lawrence M. Malan*, Deputy

PR #6076

Ogden, Utah, July 8, 1940.

The undersigned, Lois Ellen Foster Belnap, as administratrix of the estate of Hyrum A. Belnap, deceased, Olive B. Jenson, Marion B. Kerr and Flora Belnap, hereby acknowledge receipt of the sum of \$474.28, which sum, it is alleged in the Final Account and Report of the co-administrators of the estate of Hyrum Belnap, deceased (paragraph numbered 7 thereof; also last item of disbursements set up in Exhibit "A" annexed thereto), was paid by said co-administrators to Hyrum A. Belnap, intestate of said Lois Ellen Foster Belnap, administratrix, Olive B. Jenson, Marion B. Kerr and Flora Belnap, jointly. It is our intention that this receipt be filed with other receipts covering the disbursements of said co-administrators as set forth in their said Final Account and Report, in the matter of the estate of Hyrum Belnap, deceased, being probate file No. 6076 of the files of the District Court of Weber County, Utah.

Lois Ellen Foster Belnap
As Administratrix of the Estate of
Hyrum A. Belnap, deceased

Flora Belnap

Marion Belnap Kerr

Olive B. Jenson

THE DISTRICT COURT OF WEBER COUNTY,
STATE OF UTAH.

ESTATE OF

HYRUM BELNAP,

Deceased.

TESTIMONY OF APPLICANT.
(#6076)

Arias G. Belnap, being duly sworn in open Court, testifies as follows to wit:

I am a son of decedent. ~~the present named executor of the estate of the decedent now shown to me, was not filed in this Court on the day of the probate of the will of the decedent, but the last of the estate of the decedent.~~

I reside in Ogden City, Utah, and am of the age of twenty-one years and upwards.

I knew said Hyrum Belnap; he is dead; he died on or about the 18th day of September, 1938, at Ogden City, Weber County, Utah.

At the time of his death he was a resident of the said Ogden City, Weber County, Utah, and left estate in the said County of Weber, and State of Utah.

The real estate is of the value of DOLLARS, or thereabouts, and the annual rents, issues and profits of said real estate amount to the sum of Three hundred sixty & no/100 Dollars or thereabouts.

The personal property is of the value of \$5600.00 or thereabouts Dollars or thereabouts.

The said estate and effects, for, or in respect of, which the probate of said will has been applied for, do not exceed the value of Ten thousand DOLLARS. All of the estate of said deceased is real and personal property, ~~the same being~~

The said document came into my possession as follows, to-wit: — The said document was found among the papers and effects of said decedent, and I believe the same to be his last will and testament.

The next of kin of said deceased are Flora Belnap, Marion B Kerr, Olive B. Jensen, Hyrum A Belnap, Dr H Earl Belnap, Arias G Belnap, Volney B. Belnap, Jewel A Furniss, Della Belnap, Gladys Carwin and Byron K. Belnap.

On the 5th day of May, 1932, when said will was executed, said deceased was over the age of eighteen years, being of the age of 74 years, or thereabouts, and was of sound and disposing mind.

Subscribed and sworn to before me in open Court by the said Arias G Belnap, this 12th day of July, 1940.

Arias G. Belnap
Lawrence W. Malan, Clerk.
By Leroy Malin, Deputy.

IN THE DISTRICT COURT OF
Weber County, Utah.

In the Matter of the Estate)
 of)
HYRUM BELNAP,) ORDER. (#6076) ^{LR}
 D e c e a s e d .)

(This matter coming on regularly to be heard upon the verified petition of Arias G. Belnap and Samuel G. Dye, co-administrators herein, praying for the approval, allowance and settlement of their final account and report and for distribution of the residue of the estate of said decedent,) including disposition of certain genealogical records mentioned and described in the supplemental inventory filed herein on September 8, 1939, and for closing of said estate, and it appearing to the Court, from oral statements made by the attorneys representing said co-administrators in open court, that said genealogical records are in the possession of certain of the heirs-at-law of decedent and never have been in the possession of said co-administrators, and that it is necessary that possession thereof be surrendered by said heirs to said co-administrators before the Court can dispose of the same by distribution to the heirs-at-law or otherwise:

(Now, therefore, IT IS ORDERED) that said heirs-at-law of said decedent deliver and surrender to Arias G. Belnap, co-administrator, at his office in the Municipal Building in Ogden, Utah, on or before July 23, 1940, at five o'clock p. m., any of such records which he or she may have in his possession or under his control, and that a copy of this order be served on said heirs-at-law forthwith; and (that further hearing hereon be continued to July 29, 1940, at two o'clock.)

IT IS FURTHER ORDERED that a copy of the list of records set forth in said supplemental inventory be annexed to the copy of this order so served as aforesaid.

Done in open court this JULY 22, 1940.

Lewis A. Dyer

Judge

SECOND DISTRICT COURT
COURT HOUSE, SALT LAKE CITY, UTAH
FILED
JUL 22 1940
LAWRENCE H. HARRIS, County Clerk
By M. A. E. Dammell Deputy
Entry No. 5574

Service of the within and foregoing Order admitted and copy there-
of received this JULY 23, 1940.

56
M. E. B.
A
294
A.M. 9

Christa Belnap

Della Belnap

W. H. Belnap

Gladys Carwin

Olive B. Jensen

Lois Ellsworth Belnap

Flora Belnap

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR
THE COUNTY OF WEBER, STATE OF UTAH

- - - - -o0o- - - - -

IN THE MATTER OF THE ESTATE OF) DECREE SETTLING FINAL ACCOUNT
AND DISTRIBUTING ESTATE AND
) CONDITIONALLY DISCHARGING
ADMINISTRATORS WITH THE WILL
HYRUM BELNAP,) ANNEXED.
Deceased,) Case No. 6076 *1 B*

- - - - -o0o- - - - -

Arias G. Belnap and Samuel G. Dye, co-administrators with the will annexed of the estate of Hyrum Belnap, deceased, having rendered and presented and filed with this court their final account and report of their administration of the estate of Hyrum Belnap, deceased, together with their petition for allowance and settlement thereof, and for distribution of the estate and discharge of said administrators with the will annexed, and the same having been fixed for hearing on the 22nd day of July, 1940, and on said date duly continued to be heard upon the 29th day of July, 1940, and said matter coming on regularly for hearing upon the day last aforesaid, and the court having read and considered the said account and petitions and heard the evidence presented in support thereof, and no one appearing in opposition to said petitions, the court being now fully advised in the premises finds:

1. That Hyrum Belnap died testate on September 18, 1938, at Ogden City, Weber County, State of Utah, of which county and State he was a resident at the time of his death; that on November 28, 1938, a certain document purporting to be the last will and testament of said decedent was admitted to probate as the last will and testament of said decedent, and that on said day Arias G. Belnap, one of your petitioners, and Hyrum A. Belnap, were duly appointed administrators with will annexed of the estate

1.

THATCHER & YOUNG
LAWYERS
OGDEN, UTAH

of said decedent, and that on December 5, 1938, they qualified as such administrators and letters of administration with the will annexed were issued to them; that they acted as such co-administrators with the will annexed until January 20, 1940, when said Hyrum A. Belnap died; that on February 8, 1940, your petitioner Samuel G. Dye was duly appointed to succeed said Hyrum A. Belnap as co-administrator herein, and that on February 27, 1940, he qualified as such co-administrator and letters of administration with the will annexed were issued to him, and he and said Arias G. Belnap have since continued to act as such co-administrators herein.

2. That the said account and report of said co-administrators with the will annexed is a full, true and correct account of said administration as therein stated and all disbursements therein shown are supported by the necessary vouchers, and that the said account is entitled to be allowed, approved and settled.

3. All claims and debts against the decedent, all taxes on said estate, including all State, County and municipal taxes legally levied upon personal property of the estate, and all the inheritance tax due the State of Utah from said estate have been fully paid and discharged, and the said estate is ready for distribution and in condition to be closed.

4. That the following named persons at the time of the death of said decedent were his sole surviving children and his only heirs at law and the sole devisees and legatees under his last will and testament:

Flora Belnap
Marion Belnap Kerr
Olive Belnap Jensen
Lois Ellen Foster Belnap, executrix of the last will
and testament of Hyrum A. Belnap
H. Earl Belnap
Arias G. Belnap
Volney B. Belnap
Jewell Belnap Furniss
Della A. Belnap
Gladys Belnap Carwin
Byron K. Belnap

Since the death of said decedent the said Hyrum A. Belnap, the son of the decedent Hyrum Belnap has died; Lois Ellen Foster Belnap, after proceedings duly and regularly had has been appointed and now is the executrix of the last will and testament of Hyrum A. Belnap, and is entitled to receive as such executrix upon distribution, his share of the estate as hereinafter specified.

5. That on September 11, 1939, the eleven children of said decedent, they being all of his heirs at law, devisees and legatees and of adult age, divided among themselves by quit claim deed the real property owned by said decedent as follows:

To Flora Belnap, Marion B. Kerr, Olive B. Jensen and Hyrum A. Belnap, the tracts described as follows:

The South one-half of the East one-half of Lot 9, Block 43, Plat "A", Ogden City Survey:

Also: Beginning 45 feet 8 inches East from the Northwest corner of said Lot 7, Block 32, Plat "A", Ogden City Survey; thence South 100 feet; thence West 15 feet 8 inches; thence South 32 feet; thence East 80 feet; thence North 132 feet; thence West to beginning;

Also: A part of Lots 9 and 10, Block 24, Plat "A", Ogden City Survey: Beginning 93 feet West of the Northeast corner of said Lot 10 and running thence West 50 feet; thence South 85 feet; thence East 50 feet; thence North 85 feet to beginning; together with a right of way over an alleyway adjoining said property on the South and running its entire length and East to Grant Avenue and West to the end of the Thomas property where it turns North and goes to 24th Street, it being 8 feet 4 inches wide on 24th street and 11 feet on Grant Avenue;

3.

Also Lots 16 to 17 in Block 4; Lots 17 to 20 in Block 5; Lots 3 to 6, 14 to 17, and 26 to 29 in Block 13; Lots 6 to 11, 42 to 46, and 55 to 60, in Block 9, all in Florence Park Addition to Ogden City, Utah. Also Lots 13 to 18, Block 2, and Lots 11 to 16, Block 3, all in Belnap Addition to Ogden, Utah. The above descriptions include the first and last lots mentioned in each case;

(Deed recorded in Book 133 of Deeds at pages 549 to 553, of the records of the office of the County Recorder of Weber County).

To H. Earl Belnap, Arias G. Belnap, Volney B. Belnap, Jewel B. Furniss, Della Belnap, Gladys B. Carwin and Byron K. Belnap, the tracts described as follows:

A part of Lot 7, Block 23, Plat "A" of Ogden City Survey: Beginning at a point 81 feet South of the Northeast corner of said Lot 7, and running thence West 83.82 feet; thence South 29 feet; thence West 50 feet; thence South 22 feet, more or less, to the South line of said Lot 7; thence East 132 feet, more or less, to a point South of beginning; thence North 51 feet to beginning;

Also: A part of Lot 7, Block 24, Plat "A" of Ogden City Survey: Beginning at the Northeast corner of said Lot 7, and running thence South 330 feet; thence West 1 foot; thence North 17½ feet; thence West 126 feet; thence North 147.5 feet; thence East 63.5 feet; thence North 165 feet; thence East 63.5 feet to beginning;

(Deed recorded in Book 134 of Deeds at page 485, of the records of Weber County Recorder.)

All above described property is situate in Weber County, Utah.

6. That pursuant to the memorandum agreement under which said tracts of land were distributed among themselves by said heirs at law of the decedent, which is dated March 30, 1939, there was paid out of the funds of the estate of said decedent to Flora Belnap, Marion B. Kerr, Olive B. Jensen and Hyrum A. Belnap on said day the sum of four hundred seventy four and 28/100 (\$474.28), as shown by said final account and report.

7. That in addition to the property listed and described in the inventory on file herein, and in the said final account and report, the decedent, Hyrum Belnap, at the time of

his death was the owner of the following described real estate in Weber County:

Lot 5, Block 2, Plat "F" in Ogden City Cemetery, Weber County, Utah,

and that the same is the family burial lot of the said decedent.

8. That the books, records, magazines, papers, letters, correspondence and manuscripts mentioned and described in the supplemental inventory filed herein on September 8, 1939, the following are all that ever came to the knowledge or possession of the said Arias G. Belnap and Samuel G. Dye, co-administrators as aforesaid:

1. One copy only of the two copies typed and indexed by Flora Belnap of various manuscripts of Franklin Belnap. (This is claimed by Flora Belnap as her own personal property).

2. A record of the genealogy of the Hyrum Belnap family in modern family sheets, compiled by Della Belnap, which is claimed by Della Belnap to be her sole property, and which is referred to in said supplemental inventory as "a complete copy of everything mentioned, compiled by Della Belnap, in modern family sheets".

3. Three temple records designated "A", "B", "C"; "A" in the handwriting of decedent, and "B" and "C" in the handwriting of Flora Belnap; and "A", and "B" indexed by Flora Belnap.

4. A blue paper covered book containing names of the Belnap family of Newburgh and vicinity by Wm. E. Warren.

5. A brown book in the handwriting of the decedent containing a few hundred names starting out the family Belnap record.

6. A group of family sheets purporting to be genealogical record of living relatives of Hyrum Belnap family referred to in said supplemental inventory. A group of family sheets of the living. The above has no value except as a family record.

A dispute among the heirs, devisees and legatees of the decedent has existed as to the ownership of the said books, records, etc., mentioned and described in said supplemental in-

ventory. The said devisees and legatees have agreed among themselves to settle the said dispute in the following manner, to-wit:

There will be distributed to Flora Belnap as her sole property the items listed as No. 1, No. 4, No. 5, and No. 6, in the paragraph hereof immediately preceding, and there shall be distributed to Della Belnap the items designated as No. 2 in the paragraph immediately preceding. All other items mentioned in said paragraph and in said supplemental inventory mentioned and described shall be distributed to the legatees of Hyrum Belnap, deceased, hereinbefore named, as tenants in common. Within fifteen (15) days after the entry of this decree all of said books, records, etc., now in possession of said co-administrators and legatees or any of them, shall be deposited with the clerk of this court, and shall be held by him in his office until the elapse of thirty (30) days from the entry of this decree, and during said period, all of said records shall be open to inspection by any of said legatees during the business hours of said clerk, and any of said legatees may take a copy thereof, but the same shall not be removed from the office of said clerk until the lapse of thirty (30) days from the entry hereof as aforesaid. Upon the lapse of the said thirty (30) day period after the entry hereof, all of the said books, records, etc., so deposited with the clerk shall be delivered to the co-administrators aforesaid, and said co-administrators shall thereupon deliver to Flora Belnap and to Della Belnap those records to be distributed to them, and the balance thereof to Carnegie Library of Ogden, Utah, to be kept by it as bailee without charge for the said legatees, their heirs and next of kin perpetually, and shall, while in the custody of said library, be open for inspection and copying by any of the said

THATCHER & YOUNG
LAWYERS
OGDEN, UTAH

legatees, their heirs and next of kin, at such reasonable times as said custodian shall, in its discretion determine. If any of said books, records, etc., not hereinbefore mentioned but listed and described in said supplemental inventory, shall hereafter be found or discovered or located by any of the heirs or legatees of the decedent, Hyrum Belnap, the same shall immediately be deposited with the clerk of this court for a period of fifteen (15) days, during which the same shall be open for inspection and copying as aforesaid, and at the end of said period of fifteen (15) days the same shall be deposited with the said library, to be held by it perpetually as bailee as aforesaid, upon the terms and conditions hereinbefore specified.

The said agreement and settlement is reasonable and just and is entitled to be approved by the court.

9. That there are now in the hands of said co-administrators for distribution a claim of decedent against the Ogden State Bank, now in liquidation, hereinafter described, seven hundred one (701) shares of stock of the Strongs' Canyon Water Company and one hundred four (104) shares of Belnap Water Company Stock. All other properties of said estate have heretofore been paid out and distributed to the persons entitled thereto under the agreement of the heirs at law, devisees, legatees of the decedent, Hyrum Belnap. All of the property now remaining on hand, including said water stock and said cemetery lot should be distributed in equal shares among the devisees and legatees and the personal representative of the deceased devisees and legatees of said decedent.

NOW, THEREFORE, upon motion of Joseph E. Evans, Esquire, and Thatcher & Young, Esquires, attorneys for the petitioners,

IT IS ORDERED, ADJUDGED AND DECREED that the said final account and report of Arias G. Belnap and Samuel G. Dye, co-administrators with the will annexed of the estate of Hyrum Belnap, deceased, be allowed, approved and settled in all respects as rendered and presented to the court.

FURTHER ORDERED, ADJUDGED AND DECREED that the following described lands in Weber County, State of Utah, to-wit,

The South one-half of the East one-half of Lot 9, Block 43, Plat "A", Ogden City Survey;

Also: A part of Lots 9 and 10, Block 24, Plat "A", Ogden City Survey: Beginning 93 feet West of the Northeast corner of said Lot 10 and running thence West 50 feet; thence South 85 feet; thence East 50 feet; thence North 85 feet to beginning; together with a right of way over an alleyway adjoining said property on the South and running its entire length and East to Grant Avenue and West to the end of the Thomas property where it turns North and goes to 24th Street, it being 8 feet 4 inches wide on 24th Street and 11 feet wide on Grant Avenue;

Also: Beginning 45 feet 8 inches East from the Northwest corner of said Lot 7, Block 32, Plat "A", Ogden City Survey; thence South 100 feet; thence West 15 feet 8 inches; thence South 32 feet; thence East 80 feet; thence North 132 feet; thence West to beginning;

Also: Lots 16 to 17 in Block 4; Lots 17 to 20 in Block 5; Lots 3 to 6, 14 to 17, and 26 to 29, in Block 13; Lots 6 to 11, 42 to 46, and 55 to 60, in Block 9, all in Florence Park Addition to Ogden City, Utah. Also Lots 13 to 18, Block 2, and Lots 11 to 16, Block 3, all in Belnap Addition to Ogden, Utah. The above descriptions include the first and last lots mentioned in each case;

be and it hereby is distributed to Flora Belnap, Marion B. Kerr, Olive B. Jensen and Lois Ellen Foster Belnap, as executrix of the last will and testament of Hyrum A. Belnap, deceased, as tenants in common.

FURTHER ORDERED, ADJUDGED AND DECREED that the following described lands in Weber County, State of Utah, to-wit,

A part of Lot 7, Block 23, Plat "A" of Ogden City Survey: Beginning at a point 81 feet South of the Northeast corner of said Lot 7, and running thence

8.

THATCHER & YOUNG
LAWYERS
OGDEN, UTAH

West 83.82 feet; thence South 29 feet; thence West 50 feet; thence South 22 feet, more or less, to the South line of said Lot 7; thence East 132 feet, more or less to a point South of beginning; thence North 51 feet to beginning.

Also: A part of Lot 7, Block 24, Plat "A", of Ogden City Survey: Beginning at the Northeast corner of said Lot 7, and running thence South 330 feet; thence West 1 foot; thence North 17½ feet; thence West 126 feet; thence North 147.5 feet; thence East 63.5 feet; thence North 165 feet; thence East 63.5 feet to beginning;

be and it hereby is distributed to H. Earl Belnap, Arias G. Belnap, Volney B. Belnap, Jewel B. Furniss, Della Belnap, Gladys B. Carwin, and Byron K. Belnap, as tenants in common.

FURTHER ORDERED, ADJUDGED AND DECREED that the following described property in Weber County, State of Utah, to-wit,

Lot 5, Block 2, Plat "F", in Ogden City cemetery, Weber County, Utah,

be and it hereby is distributed to Flora Belnap, Marion Belnap Kerr, Olive Belnap Jenson, Lois Ellen Foster Belnap, executrix of the last will and testament of Hyrum A. Belnap, H. Earl Belnap, Arias G. Belnap, Volney B. Belnap, Jewell Belnap Furniss, Della A. Belnap, Gladys Belnap Carwin and Byron K. Belnap, as tenants in common.

FURTHER ORDERED, ADJUDGED AND DECREED that the one copy only of the two copies typed and indexed by Flora Belnap of various manuscripts of Franklin Belnap; the blue paper covered book containing names of the Belnap family of Newburgh and vicinity by Wm. E. Warren, the brown book in the handwriting of the decedent containing a few hundred names starting out the family Belnap record, and the group of family sheets purporting to be genealogical record of living relatives of Hyrum Belnap family referred to in said supplemental inventory as "A group of family sheets of the living. The above has no value except as a family record", which have been delivered to the co-administrators,

9. be and they are hereby distributed to Flora Belnap as her sole

THATCHER & YOUNG
LAWYERS
OGDEN, UTAH

property.

FURTHER ORDERED, ADJUDGED AND DECREED that the record of the genealogy of the Hyrum Belnap family in modern record sheets compiled by Della Belnap, which is claimed by Della Belnap to be her sole property, and which is referred to in said supplemental inventory as "A complete copy of everything mentioned, compiled by Della Belnap in modern family sheets", be and it is hereby distributed to Della Belnap as her sole property.

FURTHER ORDERED, ADJUDGED AND DECREED that all of the other books, records, etc., mentioned and described in the supplemental inventory filed herein on September 8, 1939, be and the same hereby are distributed to Flora Belnap, Marion Belnap Kerr, Olive Belnap Jenson, Lois Ellen Foster Belnap, executrix of the last will and testament of Hyrum A. Belnap, H. Earl Belnap, Arias G. Belnap, Volney B. Belnap, Jewell Belnap Furniss, Della A. Belnap, Gladys Belnap Carwin and Byron K. Belnap, as tenants in common, provided however, that all of said books, records, etc., including those distributed to Flora Belnap and Della Belnap, as hereinbefore specified, shall within fifteen (15) days from the entry hereof be deposited with the clerk of this court to be held by him, in accordance with the terms specified in paragraph numbered 8 hereof, until the lapse of a period of thirty (30) days from the entry hereof, and that upon the said period of thirty (30) days, the same shall be withdrawn from the office of the clerk of this court and those items distributed to Flora Belnap and to Della Belnap shall be distributed to each of them respectively, and the balance thereof shall be deposited with the Carnegie Library of Ogden, Utah, to be held by it in accordance with the terms and conditions specified in said paragraph 8 hereof; provided further that if any of said books, records, etc.,

not now known to be in the possession of said co-administrators or the legatees of the decedent, Hyrum Belnap, are discovered, they likewise shall be first deposited for a period of fifteen days (15) with the clerk of the court, and thereafter deposited with the said Carnegie Library of Ogden, Utah, as specified in Paragraph 8 of this decree.

FURTHER ORDERED, ADJUDGED AND DECREED that seven hundred one shares of stock in the Strong's Canyon Water Company and the one hundred four shares of stock in the Belnap Water Company owned by said decedent be, and it hereby is distributed among the legatees of the said Hyrum Belnap, deceased, in the manner shown by the following schedule, to-wit:

NAME OF LEGATEE	NUMBER OF SHARES IN STRONG'S CANYON WATER COMPANY	NUMBER OF SHARES IN BELNAP WATER COMPANY
Flora Belnap	63.75	9.45
Marion Belnap Kerr	63.75	9.45
Olive Belnap Jenson	63.75	9.45
Lois Ellen Foster Belnap	63.75	9.45
H. Earl Belnap	63.75	9.45
Arias G. Belnap	63.50	9.50
Volney B. Belnap	63.75	9.45
Jewell Belnap Furniss	63.75	9.45
Della A. Belnap	63.75	9.45
Gladys Belnap Carwin	63.75	9.45
Byron K. Belnap	63.75	9.45

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that all of the real and personal property of said corporations of whatsoever kind or nature represented by the said shares of stock of the decedent, Hyrum Belnap, be and it is distributed to his devisees and legatees in the schedule aforesaid named in the shares and proportions represented by their ownership in the stock as designated in said schedule.

FURTHER ORDERED, ADJUDGED AND DECREED that the claim of said Hyrum Belnap numbered 1958, against the Ogden State Bank, a corporation now in liquidation, for five thousand four hundred twenty-four and 36/100 Dollars (\$5,424.36), upon which there is an unpaid balance of one thousand nine hundred thirty-one and 07/100 Dollars (\$1,931.07), and all property not now known or discovered or not now herein set forth in which said decedent may have or in which his estate may acquire an interest in or to, is hereby distributed as follows: one eleventh (1/11) thereof to each of the following named devisees and legatees of the said Hyrum Belnap, deceased, as follows: Flora Belnap, Marion Belnap Kerr, Olive Belnap Jensen, Lois Ellen Foster Belnap, executrix of the last will and testament of Hyrum A. Belnap, H. Earl Belnap, Arias G. Belnap, Volney B. Belnap, Jewell Belnap Furniss, Della A. Belnap, Gladys Belnap Carwin and Byron K. Belnap, as tenants in common.

DONE this 16th day of August, 1940.

Lester A. Wade
JUDGE

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR
THE COUNTY OF WEBER, STATE OF UTAH

-----oOo-----

IN THE MATTER OF THE ESTATE OF)
) PETITION FOR FINAL DISTRIBUTION
HYRUM BELNAP)
Deceased,)

1. B
4076

-----oOo-----

Arias G. Belnap and Samuel G. Dye, co-administrators
with the will annexed of the estate of Hyrum Belnap, respectfully
represent and show unto the court:

1. The Estate of Hyrum Belnap, deceased, has been
fully administered, your petitioners have paid all sums of money
due from them and have delivered up under order of this court all
property of said estate to the persons thereunto entitled:

2. The petitioners have performed all accounts
lawfully required of them and herewith present and file with
the court vouchers showing distribution of the estate of the de-
cedent in accordance with the decree of final distribution here-
tofore made and entered by the court:

WHEREFORE your petitioners pray that they and each of
them be discharged as such administrators from all liabilities
to be hereafter incurred and that the surety on their official
bond may be discharged and their bond exonerated.

DATED this 10th day of December, 1940.

Arias G. Belnap

Samuel G. Dye
Petitioners

Joseph E. Evans
Joseph E. Evans

Thatcher Young
Attorneys for Petitioners

STATE OF UTAH)
 : SS
COUNTY OF WEBER)

Arias G. Belnap being first duly sworn deposes and says: I am one of the petitioners in the foregoing petition for final distribution: I have read the said petition and know the contents thereof and the same is true of my own knowledge except as to matters therein stated on information and belief and as to those matters I believe it to be true.

Arias G. Belnap

Subscribed and sworn to before me this 10th day of
December, 1940.

Paul P. Thatcher
Notary Public residing in
Ogden, Utah

My Commission expires

Aug. 15, 1943

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR
THE COUNTY OF WEBER, STATE OF UTAH

-----oOo-----
IN THE MATTER OF THE ESTATE OF)

L.P.
4076

HYRUM BELNAP,

) DECREE OF FINAL DISTRIBUTION

Deceased,)
-----oOo-----

It appearing that the estate of Hyrum Belnap, deceased, has been fully administered and it being shown by Arias G. Belnap and Samuel G. Dye, the co-administrators with the will annexed thereof by the production of satisfactory vouchers that they have paid all sums of money due from them and delivered up under the order of the court all property of the estate to the parties thereunto entitled and performed all acts lawfully required of them;

IT IS ORDERED, ADJUDGED AND DECREED that said co-administrators and the surety on their official bond be and they hereby are released and discharged from all liabilities to be hereinafter incurred; that the official bond of said co-administrators be and it hereby is exonerated and that the estate is fully distributed and the trust settled and closed.

DATED this 11th day of December, 1940.

BY THE COURT:

Lester A. Wade

District Judge

IN THE DISTRICT COURT OF
Weber County, Utah.

----- 2. A

In the Matter of the Estate)
) of)
) Petition for Authority to
7 HYRUM BELNAP,) Execute and Deliver Quit
) Claim Deed. (#6076)
) D e c e a s e d)

To the Honorable Judges of the above-named Court:

Arius G. Belnap and Samuel G. Dye, co-administrators with the will annexed of the estate of Hyrum Belnap, deceased, until the administration of said estate was closed, respectfully show to the Court:

1.

That said-Hyrum Belnap died on September 18, 1938, in Ogden City, Weber County, Utah, of which County and State he was a resident at the time of his death; that he left an estate in said County consisting of real and personal property and that letters of administration with will annexed were issued thereon to your petitioners, who thereupon qualified as such administrators and proceeded to administer the estate of said decedent; that the estate of said decedent was fully distributed to the persons entitled thereto and the administration of said estate closed and your petitioners discharged as such administrators in December, 1940.

2.

That on or about March 16, 1934, said decedent acquired from William C. Alexander and Helen B. Alexander, his wife, by quit claim deed dated on said day and recorded on May 15, 1936, in Volume 126 of Deeds at page 425 of the records of the County Recorder of Weber County, Utah, certain parcels of real estate, including Lots 42, 43, 44, 45 and 46 in Block 9, Florence Park Addition to Ogden City, Utah; that because of the failure of said decedent and his said estate to pay the taxes levied and assessed against said property the same was sold for unpaid taxes by Weber County and went to tax deed, and that

Weber County on March 30, 1940, by quit claim deed sold and conveyed said five lots to one William H. London, who subsequently sold them to LeRoy Dean Palmer and Virginia R. Palmer, as tenants by the entirety with full rights of survivorship, who now own the same and are in possession thereof; that said quit claim deed from Weber County to William H. London was recorded on April 8, 1940, in Book A-4 of Quit Claim Deeds at page 157, of the records of the office of the County Recorder of Weber County, Utah.

3.

That on May 20, 1940, this court, upon a petition duly noticed and heard herein, made and entered its Order authorizing your petitioners, as such administrators, to execute and deliver to said William H. London quit claim deed covering said lots, but by inadvertence and mistake Lot 46 of said Block 9, Florence Park Addition to Ogden City, Utah, was omitted from the petition, order and deed.

WHEREFORE, your petitioners pray that this petition be set for hearing and due notice thereof be given, and that on said hearing an order be made by this court reopening the above-entitled estate and directing said Arias G. Belnap and Samuel G. Dye, as administrators with will annexed of said estate, to execute and deliver to said LeRoy Dean Palmer and Virginia R. Palmer, as tenants by the entirety with full rights of survivorship, a quit claim deed of said Lot 46 in Block 9, Florence Park Addition to Ogden City, Utah, and for such other or further order as may be proper in the premises.

Arias G. Belnap
Samuel G. Dye
Petitioners

State of Utah)
) ss
County of Weber)

Arias G. Belnap and Samuel G. Dye, being first duly sworn, on their oaths depose and say:

We are the petitioners above-named; that we have read the fore-

going petition, and know the contents thereof, and that the same is true.

Richard B. Benap
Samuel G. Dye

Subscribed and sworn to before me
this 26th day of JUNE, 1945.

W. I. Evans
NOTARY PUBLIC, residing at Ogden, Utah

IN THE DISTRICT COURT
OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER

IN THE MATTER OF THE ESTATE OF

18

#6076

NOTICE

HYRUM BELNAP

Deceased

THE PETITION OF

Arias G. Belnap and Samuel G. Dye, former co-administrators with the will annexed of the estate of Hyrum Belnap, deceased, praying for an order reopening the above-entitled estate and directing said petitioners to execute and deliver to LeRoy Dean Palmer and Virginia R. Palmer, as tenants by the entirety with full rights of survivorship, a quit claim deed of Lot 46, in Block 9; Florence Park Addition to Ogden City, Utah, and for such other and further order as may be proper in the premises,

in the above entitled matter

has been set for hearing before Hon. CHARLES G. COWLEY, Judge on Monday
the 9th day of July, 1945, at 10 o'clock A.M.,
at the County Court House, in the court room of said court, in Ogden City, Weber County, Utah.

Witness, the Clerk of said court with the seal thereof affixed,
this 27th day of June, 1945

Jos. E. Evans, Esq.,
Attorney for petitioner.

LAWRENCE M. MALAN, Clerk
By *Lawrence M. Malan*
DEPUTY CLERK

In the District Court of Weber County

STATE OF UTAH

ESTATE OF

#6076

HYRUM BELNAP

Deceased

AFFIDAVIT OF MAILING AND
POSTING NOTICES

STATE OF UTAH, ss.
County of Weber

A.M. Allen,

of Ogden City, in the said County

of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the 27th day of June, 1945 he served notice of the time and place of hearing the petition of Arias G. Belnap and Samuel G. Dye, former co-administrators with the will annexed, praying for an order reopening the above-entitled estate and directing said petitioners to execute and deliver to LeRoy Dean Palmer and Virginia R. Palmer, a quit claim deed,

in the above entitled matter,

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

Flora Belnap	2149 Madison Ave., Ogden, Utah
Marion B. Kerr	132 University St., Salt Lake City, Utah
Olive B. Jensen	2403 Harrison Blvd., Ogden, Utah
Lois Ellen Foster Belnap, Adm.	2267 Harrison Blvd., Ogden, Utah
Dr. H. Earl Belnap	346 12th St., Sparks, Nevada
Arias G. Belnap	1111 21st St., Ogden, Utah
Volney B. Belnap	917 21st St., Ogden, Utah
Jewel A. Furniss	Ammon, Idaho
Della Belnap	2341 Madison Ave., Ogden, Utah
Gladys Carwin	355 Parry St., Ogden, Utah
Byron K. Belnap	904 24th St., Ogden, Utah
Thatcher & Young,	Ogden, Utah
Jos. E. Evans, Esq.,	Ogden, Utah

And deponent further says that on said 27th day of June A. D. 1945, he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be most likely to reach the parties interested, to-wit:

One of said notices at the front door of the Municipal Building, in Ogden City, Utah, the same being the place where the said District Court is held.

One notice at the Southeast corner of the Tabernacle Square, at the corner of Washington Boulevard and 22nd Street, in Ogden City, Utah.

One notice at the Southeast corner of the Postoffice Building, in Ogden City, Utah off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the

LAWRENCE M. MALAN, Clerk

27th day of June, 1945.

By *Lawrence M. Malan* Deputy

IN THE DISTRICT COURT

OF THE SECOND JUDICIAL DISTRICT
IN AND FOR THE COUNTY OF WEBER, STATE OF UTAH

h

PK

ESTATE OF

HYRUM BELNAP,

Deceased

ORDER FIXING DAY

(#6076)

IT IS HEREBY ORDERED that hearing upon the petition of
Arias G. Belnap and Samuel G. Dye, former co-administrators with the
will annexed of the estate of Hyrum Belnap, deceased, praying for an
order reopening the above-entitled estate and directing said peti-
tioners to execute and deliver to LeRoy Dean Palmer and Virginia
R. Palmer, as tenants by the entirety with full rights of survivor-
ship, a quit claim deed of Lot 46 in Block 9, Florence Park Addition
to Ogden City, Utah, and for such other or further order as may be
proper in the premises.

in the above entitled matter, be had on Monday the 9th day of JULY,
1945, at ten o'clock A. M., and that notice of such hearing be given according
to law by mailing and posting.

Dated JUNE 26th, 1945.

LAWRENCE M. MALAN

Clerk

1945

By

Ann S. Draper

Deputy

Clerk

IN THE DISTRICT COURT OF
Weber County, Utah.

In the Matter of the Estate)
of) ORDER REAPPOINTING ADMINISTRATORS
HYRUM BELNAP,) AND AUTHORIZING AND DIRECTING
D e c e a s e d) EXECUTION AND DELIVERY OF DEED.
) (#6076)

The petition of Arias G. Belnap and Samuel G. Dye, as former co-administrators with will annexed of the estate of Hyrum Belnap, deceased, praying for the reopening of the above-entitled estate and for authority to execute and deliver to LeRoy Dean Palmer and Virginia R. Palmer, as tenants by the entirety, quit claim deed of Lot 46, in Block 9, Florence Park Addition to Ogden City, Utah, having come on to be heard this day, of the hearing whereof due notice was given in accordance with previous direction of the court, and the same having been duly considered, and it appearing that the allegations of the petition are true, and the Court having duly considered the matter, and being sufficiently advised in the premises, on motion of Joseph E. Evans, attorney for said petitioners, -

IT IS ORDERED, ADJUDGED and DECREED that the estate of said decedent be reopened and that said Arias G. Belnap and Samuel G. Dye, as co-administrators with will annexed herein, execute and deliver to said LeRoy Dean Palmer and Virginia R. Palmer, husband and wife, as tenants by the entirety, quit claim deed of Lot 46, in Block 9, Florence Park Addition to Ogden City, Weber County, Utah, and that thereupon they be released from further duty and responsibility herein.

Done in open court this 9th day of JULY, 1945.

Charles G. Cowley
J u d g e

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN
AND FOR THE COUNTY OF WEBER STATE OF UTAH

IN THE MATTER OF THE ESTATE OF
HYRUM BELNAP

6076 1A
ORDER

Deceased,

CAMPBELL LIBRARY,
Ogden, Utah.

TO WHOM IT MAY CONCERN:

You are hereby directed to give to Flora Belnap, the records, compiled by herself and her father, Hyrum Belnap, Books A B & C, Temple Records, for the microfilming of same by the Genealogical Society of the Church of Jesus Christ of Latterday Saints, located at Salt Lake City, Utah, which she has previously made arrangements to be made at their earliest convenience, to avoid duplication.

The said records to be returned to the Library as soon as practicable, *by Flora Belnap.*

1-30-48

John P. Hendrick
Judge

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
IN AND FOR WEBER COUNTY, UTAH *1-12*

#6076

IN THE MATTER OF THE ESTATE
OF HYRUM BELNAP,

Deceased,

Receipt

We herewith acknowledge the return of Temple Records
A B C, in the above entitled ^{*matter*} *A*, from Flora Belnap. ^{*According to miss*} *A* ^{*Belnap,*} they have
been microfilmed by the Utah Genealogical Society of the
Church of Jesus Christ of Latterday Saints at 80 North
Main St., Salt Lake City.

Carnegie Free Library

Dated *Sept. 11, 1948*

by Helen Redfield

Ogden, Utah.

285 31 3 04 BH 100

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR THE
COUNTY OF WEBER, STATE OF UTAH

-----c00-----

IN THE MATTER OF THE ESTATE OF) PETITION OF THE GILBERT BELNAP FAM-
HYRUM BELNAP,) ILY ORGANIZATION TO HAVE RELEASED TO
Deceased) THEM THE THREE TEMPLE RECORDS "A",
) "B", "C" NOW UNDER CUSTODY OF THE
) CARNEGIE LIBRARY OF OGDEN, UTAH.
) Case No. 6076

Lester Belnap, President of the Gilbert Belnap family organization, now comes before the court and says;

That it his understanding that the Carnegie Library of Ogden, Utah are desirous of having the three temple records removed from the Library;

That in order to complete the "Family Group sheets" in duplicate, proof read the work, and file such copies--one with the Index Library of the Church of Jesus Christ of Latter-day Saints and one with the Gilbert Belnap family organization and;

That the research work necessary for the temple work of said family organization may be more effectively done;

Now, therefore, in behalf of the Gilbert Belnap Family organization, I hereby, petition the court that the "Three Temple Records" designated "A" "B" "C" mentioned in the "decree of distribution" item 3, paragraph 8 now placed with the Carnegie Library of Ogden, Utah, be released from said library and that these records be given to the Gilbert Belnap family organization in such manner and custody as the court may see fit.

Dated at Ogden Utah
May 29, 1954

Lester Belnap

President of the Gilbert Belnap family organization

IN THE DISTRICT COURT OF WEBER COUNTY, STATE OF UTAH

In the Matter of the Estate :
of :
HYRUM BELNAP. :
Deceased. :

WMA
AFFIDAVIT OF MAILING

No. 6076

STATE OF UTAH)
: SS:
COUNTY OF WEBER)

Ruth Eames Olson being first duly sworn on oath deposes and says: That she is a deputy Clerk of the above entitled Court, and of the County of Weber, State of Utah: That pursuant to the order of the above named Court, under date of June 24, 1954, she deposited in the United States mails of Ogden, Weber County, Utah, on the 25th day of June, 1954, a copy of the Order

Releasing Books

IN SAID cause, enclosed in a sealed envelope, with postage prepaid therein, legibly addressed and directed to the following person, to-wit:

Carnegie Free Library

2555 Wash. Blvd., Ogden, Utah

and that there is a regular, daily communication by mail between Ogden, Utah, and the cities above named.

Ruth Eames Olson
Subscribed and sworn to before me

this 25th day of June, 1954

LAWRENCE M. MALAN, Clerk

By Wendell J. Hansen Deputy

file
Carnegie Free Library

Ogden, Utah

April 16, 1954

Hyrum Belnap

Estate *MED*

6076

~~6076~~

Honorable John A. Hendricks, Judge
Second Judicial District Court of Weber County
Municipal Building
Ogden, Utah

My dear Judge Hendricks:

The Library requests that it be relieved of all responsibility — as bailee or in any other capacity — for the Belnap Family Temple Records, "A", "B", and "C", placed in the Library by District Court Order of August 16th, 1940.

Not at any time prior to the issuance of the Order was the Library consulted concerning placing the books herein. Nor is it the Library's desire or responsibility to house and to handle strictly family records material of this type.

The Library, therefore, would appreciate the Court's and/or the Family's making some other arrangement.

At present the records are in the possession of the Secretary of the "Gilbert Belnap Family Organization", Miss Della Belnap, to whom the Library "loaned" the three volumes on your Court Order of January 15th, 1954.

Yours very truly,

Elna L. Watts, Librarian

CC: Arias G. Belnap, co-administrator of the estate of Hyrum Belnap
Della Belnap, Secretary of the Gilbert Belnap Family Organization

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR
WEBER COUNTY, STATE OF UTAH

In the Matter of the Estate)
of)
Hyrum Belnap,)
Deceased.)

✓ *M.L.*
Case No 6076

O R D E R

On the petition of the Gilbert Belnap Family Organization and good cause having been shown, it is hereby Ordered that the Family Records heretofore held in the Ogden City Carnegie Library be turned over to the control of the Gilbert Belnap Family Organization, to be delivered to Della Belnap, Secretary, subject to the further order of the Gilbert Belnap Family Organization, and,

That the Carnegie Library of Ogden, Utah, is relieved from any further custody or control of said records.

Dated and signed at
Ogden, Utah, June
24th, 1954.


J u d g e

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR THE
COUNTY OF WEBER, STATE OF UTAH

-----oOo-----

IN THE MATTER OF THE ESTATE OF) ORDER FOR THE CARNEGIE LIBRARY OF
HYRUM BELNAP,) OGDEN, UTAH TO LOAN THE THREE
Deceased,) TEMPLE RECORDS "A", "B", "C" TO
) DELLA BELNAP FOR A PERIOD OF 90
) DAYS.
) Case No. 6076

Arias G. Belnap, co-administrator of the estate of
Hyrum Belnap, deceased comes before the court and says;

That the "Gilbert Belnap Family Organization" have in
course of preparation approximately 1,000 "Family group sheets" in dupli-
cate, the purpose of which is to file one set of sheets with the Index
Bureau of the Church of Jesus Christ of Latter-Day Saints and the other
set to be filed with and become the property of the "Gilbert Belnap Family
Organizations";

That these sheets, especially that with the Index Bur-
eau, are necessary that the Genealogical work of the family may be made
available to the Church and to the public at large;

That these sheets were in part prepared from the
"Three temple records designated "A", "B", and "C", mentioned in the "De-
cree of Final Distribution" - item 3, paragraph 8. Said records being
placed with the Carnegie Library of Ogden, Utah as bailee.

NOW, THEREFORE, upon request of said Arias G. Belnap,
co-administrator of the estate of Hyrum Belnap, deceased;

IT IS ORDERED, that the Carnegie Library of Ogden, Utah
deliver the "Three Temple records designated "A", "B", "C", to Miss Della
Belnap, secretary of the Gilbert Belnap Family Organization, for a period
of 90 days so that the information contained in the records may be checked
with the Family Group sheets now in preparation.

At the conclusion of the 90 day period said "Three
Temple Records are to be returned to the Carnegie Library of Ogden, Utah
to be kept by it as bailee as heretofore ordered.

Done the 15th day of January, 1954


Judge

That your petitioner has loaned her data to the libraries in Des Moines, Iowa, Lansing, Michigan libraries, who expressed their deep gratitude and transmitted the information to the main library at Detroit, Michigan, to enable all eligible for membership in the Sons of the American Revolution and the Daughters of the American Revolution to secure membership therein.

Some years before the passing of Hyrum Belnap, Sept. 18, 1938, Della Belnap borrowed the compilations made by your petitioner, completed the copy thereof, and in the presence of your petitioner and others, Hyrum Belnap emphatically instructed Della Belnap to return said records. Hyrum Belnap gave Flora Belnap the fireproof safe, which he purchased from Matt Gilles at a cost of \$600 more or less, in which to store and preserve the records.

When Hyrum Belnap was turned out of the home he had given the mother of Della Belnap (in which there were three husky grown-ups, Della, Byron and Gladys) to render any assistance to Hyrum Belnap, if necessary, and Hyrum Belnap was trying to furnish a room above his lumber company office, your petitioner called her brother Judge Hyrum A. Belnap, Marlon E. Kerr and Olive E. Jenson and they met and returned the deed of their home, 2149 Madison Avenue, where he was always welcome to rest and be cared for during any illness, which he did on numerous occasions.

Your petitioner resided in an undesirable building, in a worse neighborhood, at ~~2149 Madison Avenue~~ 2942 Pingree Ave, Ogden, Utah. Therefore she requested her brother Hyrum A. Belnap to secure all the records, that she might complete them. Accordingly Judge Lewis V. Trueman granted the return. Your petitioner happened to be in his chambers when he returned and said "I've gotten your records for you." "What records, He said, the three temple records." Your petitioner said "What about all the originals, as nothing could be accomplished without them." He took his telephone and asked Della where the locking records were and she willingly told him. However, the only ones returned were Temple records A B and C. The date of the hearing was

May 3, 1939.

While your petitioner was making further research for genealogy in Los Angeles, California, her father passed away, May 18, 1938. Upon her return, your petitioner found that all the records, all the sheets, pillow slips, towels, blankets, quilts, fruit bottled by your petitioner and some books, which were Flora Belnap's personal belongings had been removed from her mother's home. Her mother, Christiana Kasmussen was the legal wife of Hyrum Belnap. The records had been carefully sorted as the unindexed carbon copy of the Franklin Belknap records, A B C D was left on a closet shelf, while the original copy, indexed by your petitioner herself was gone. The Henry Wyckoff Belknap records were copied by Olive E. Jenson, with some help of Flora Belnap. A leather bound book of the poems of Edgar A. Guest, a gift from Flora to her father was missing, but in its place was a paste board small book of Edgar A. Guest's, bearing the inscription: "To Father from Arias and Mabel 1933" was left. This book your petitioner had never seen before. A small note book of missionary sermon notes of Flora's was found on the east room dresser-the room that Della occupied. The other rooms were occupied at various times by other members of Della's family.

Your petitioner got to Samuel G. Dye, the administrator representing her mother's family, the three temple records, hoping that Della would supply all the originals of the copy she made, entitled in the decree "A complete copy of everything mentioned". They were given to Flora Belnap by her brother, Judge Hyrum A. Belnap, called Temple Records A B and C, which were ordered, by request of Flora Belnap, deposited in the Carnegie Library, for the free use and benefit of everybody.

All of the family of Arias G. and Della Belnap evaded any knowledge of the records to every enquirer, until one, Leroy Cross

Robert Sommers called on Della Belnap at her residence, 2341 Madison Avenue, Ogden, Utah October 15, 1941. He said she spread out so many records that she covered all the sofa, chairs and tables in an effort to locate his ancestor, Eli Belknap. Before leaving he typed his own affidavit as follows:

AFIDAVIT

State of Utah :
County of Weber : ss

"I, Leroy Robert Sommers, a citizen of the United States of America, do hereby make the following statement:

"That between the hours of 6 P. M. and 7:20 P. M. October 15, 1941 I was in the apartment of Miss Della Belnap, 2341 Madison, to check the Belnap genealogy. While there, I saw in their possession, the following described records:

" The Belknap family, as compiled by Henry Wyckoff Belknap, of Salem, Mass.

"Also Belknap records as compiled by Franklin Belknap;

"Also Orange County and Newburgh." by Rittenburgh;

"Miss Della Belnap stated that she was in possession of numerous letters and various correspondence that passed between her father and Henry Wyckoff Belknap, and others.

"She also showed me a volume of family group sheets of her own ancestors and relatives of Belknap descent, about 6 or 8 inches in height.

Witnesses: (Signed) Leroy Robert Sommers

Flora Belnap

"Subscribed and sworn to before me this 15th day of October, 1941.

(Signed) John E. Watson
Notary Public

(SEAL)

"My Commission Expires:
Jan 30 1943"

-1-

December 6, 1954, your petitioner wrote the Carnegie Library, Ogden, Utah, to check on the three temple records of mine, marked A B and C. They failed to reply, therefore I requested the assistance of the police department. Mr. L. M. Hilton, enquired if any instruments had been filed regarding the records. Mr. L. M. Malan's office replied that none had been filed. Recently I checked Mr. Malan's registry, which discloses that no instruments on records had been filed. There are no minutes of court hearings. The letters for withdrawal were sent to J. A. Hendricks, Aris G. and Della Belnap.

Upon checking thru the files #6076, in the matter of the Estate of Hyrum Belnap I found a pre-dated instrument, as of May 29, 1954, illegally signed by Lester Belnap, purporting to be the president of the Gilbert Belnap Organization, requesting that my Temple records A B C be given to the Gilbert Belnap family organization, acting under unofficial color. Lester Belnap is in no way entitled to anything belonging to your petitioner or to the estate of Hyrum Belnap, a son of the legal wife, Adaline Knight. He is a son of Henrietta McBride, the plural wife of Gilbert Belnap, who maintained a very high reputation of honor and justice. Your petitioner further declares that year by year the names in the three Temple Records A B and C were sent to the Index Bureau, and cards including all work done are on file in the archives, not to be viewed by the general public; furthermore that Marion B. Kerr gave the Belnap Family a typed copy of the three temple records, in the hands of Gilbert Harriott, the genealogist, as your petitioner is informed, and she was informed that Gilbert Harriott not only photographed said records and historical data on file in the Utah Genealogical Society, but also photographed the records compiled by Glen Evans, who borrowed Flora Belnap's records, adding the few he had gathered thereto, which after the death of Glen Evans were donated to the Lansing, Michigan Library; furthermore Della Belnap not only has the "complete copy of everything" as stated in the final decree but has been in possession of all of the original manuscripts since 1938, as before described on page 4 of this instrument, which she freely exhibited to Leroy Sommers, all of which maneuvering would appear ridiculous in the extreme.

That in the summer of 1954, Lester Belnap and Gilbert Harriot called at the home of Flora Belnap, 438 E St., Salt Lake City, Utah and requested her to donate her records to be placed in an some container with no lock or key and not fireproof at the home of Gilbert Harriot near the Ogden Globe Mills, several miles west of Ogden, too far for your petitioner or any member of the (therefor their request was not granted. family not owning a car to walk/ That your petitioner still has records she collected at Los Angeles, freely given her by the librarians of the Los Angeles libraries and the two genealogists who made special trips east in search of genealogies of various families to enlarge their enormous collection, also from six genealogists, all of which she has been denied the privilege of checking with the records of her father withheld by Della Belnap. That it is very necessary that they be checked to avoid duplication in sending the names to the Index Bureau. Your petitioner does not own an automobile, in which to transport said records, in the event that said Della Belnap or others should condescend to permit flora's risking their removal from her fireproof safe, to Ogden, on a daily trip.

That the Carnegie Library of Ogden, Utah have an entirely different carbon copy of a letter, Miss Scoville showed your petitioner than the hurried notation from Elva L. Wattis that your petitioner discovered, for the first time in the files 6076, Weber County Clerk's Office, which has lowered the efficient standard established by Rev. Carver in establishing a genealogical department in keeping with all up-to-date libraries, viz. New York, Boston, Pennsylvania, Los Angeles, San Francisco, in which handwritten records have been both stored and accepted by the families of your petitioner.

Your petitioner, Flora Belnap, petitions the court for the following: A typed copy of Belknaps in England and America by Henry Wyckoff Belknap (the copy made by Olive Belnap-Jenson and Flora Belnap; a small reddish brown covered book of Belknaps, bound by Myrum Belnap, with the name Myrum Belnap in Laura Belnap's handwriting; the three Temple Records A B and C, the property of

Flora Belnap, secured for her by her brother, Myrum A. Belnap, who gave them to Flora Belnap, when Della Belnap returned them under court order of Judge Lewis V. Trueman, which by an error were entered in the supplemental inventory and appraisal of F. A. Behling and Herbert Woods, who made no inquiry as to their enormous cost and value. These records were placed in the hands of the County Clerk for a period of fifteen days, were withdrawn by Della Belnap for a short period, and then placed in the Carnegie Library, at the request of their owner, Flora Belnap, that no one could be denied free access to the extensive collection of said records at a convenient place. Della Belnap was, at that time and now is a tax payer supporting the Carnegie or Carnegie Free Library and assisted in donations for the fund appropriated by Andrew Carnegie for the building of said library. She has also donated heavily toward the collection and compilation of all family records thru travelling to various libraries and expensive contribution by correspondence, and is the only member of the Belnap family, except Leonard W. Ross and Alpha Coatsworth and Myrum A. Belnap now, Olive D. Jensen and Marion D. Kerr. That Della Belnap has repeatedly denied the former officers and members of the Belnap family any information. When Leroy Sommers was willing to contribute information, he is the only person that Della permitted to see the large collection taken from the home at 2149 Madison Avenue. Your petitioner was surprised that she asked anyone at the Belnap reunion in the fall of 1954 to look over her copy from Flora's compilation and the remainder of these, less than 100 years old, since for which Flora Belnap left, to supply names of various enquirers for temple sheets supplied by Flora Belnap on a couple of days notice for request for temple work. So far as your petitioner is informed, Della Belnap or any of her family of six, have ever collected or contributed genealogical information to add to the arduous work of Flora Belnap and her father, Myrum Belnap.

That Della Belnap has collected some genealogies of the living
descendants of Gilbert Belnap. That your petitioner, Flora Belnap,
has information from ten correspondents and from memory some of
it is a duplication of many of the records collected by her
father, Myrum Belnap, the reason for this request for said records.

Your petitioner further requests the written records of a
direct line of Belnaps on foolscap sheets, the handwritten record
of R. Belknap of New York, Leverett Belknap records, the New
England Historical and Genealogical magazines and any other
records that would eliminate duplication of materials ready to
be sent to the Index Bureau, 80 North Main St. Salt Lake City,
Utah.

That Flora Belnap, Marion B. Kerr, Olive D. Benson
are the only legal heirs to possession of said above named records.
They are the only contributors before the passing of Myrum Belnap.
That the aforementioned were not consulted, nor was any agreement
ever entered into regarding the distribution of said records.

That there should be no ethical reason for the denial of the free
use of said records, as it is a common custom for genealogists
to give freely of their information for religious and liberty
loving purposes, i. e. temple work and membership in SAR and DAR.

That the Carnegie Library and or the Carnegie Free
Library is the property of the citizens and subject to the order
of the court, and that the court ordered that the balance of the
records known, also those hereafter found or discovered be held
by the said library as bailee with but charge for the said legatees,
their heirs, next of kin **perpetually**, and while in custody of said
library, opened for inspection and copying. (Refer to pages
**6, 7 and 8 of the Final Decree "In the Matter of the Estate of
Myrum Belnap, deceased, signed by Judge Lester A. Wade.**

That the Order of former judge John A. Hendricks, with
the purported date of May 29, 1954 was illegal, as before herein
explained all the records had been sent to the Index Bureau,
Salt Lake City, Utah, the Belnap **Belknap Surname**
and or

That your petitioner has made repeated oral and written request for any and all of the records hereinbefore mentioned to avoid duplication in sending additional names she has secured to the Index Bureau, 80 North Main Street, Salt Lake City, Utah; Said request have been ignored by Della Belnap, also the presidency of the Belnap Family Organization and Arias G. Belnap, also Gilbert Marriott, the genealogist of the Belnap Family Organization.

That according to the best knowledge and belief of your petitioner the administrator, representing the family of Christiana R. Belnap were ^{not} consulted or advised of the filing, illegally, of petition of Lester Belnap, filed after the refusal of the family of Christiana R. Belnap, as not only the Belnap family and several libraries have been given copies of said Temple records A B and C without charge; neither did Elva L. Wettis report her illegal desire for the releasing the Carnegie Free Library of the records, when she was well aware that they belonged to your petitioner, neither did she express her refusal to accept the court's order, which your petitioner delivered in person to her, friendly relations having long existed between the Belnap, Littlefield and Wettis families for many years.

Wherefor your petitioner prays for the careful consideration of this petition for the restoring of the Temple records A B and C to your petitioner, as her own personal property, together with "The Belknap Family, as compiled by Henry Wyckoff Belknap, of Salem, Mass. Orange County and Newburgh by Luttentur., a small reddish brown covered book, bound by her father, Myrum Belnap, the hand written records on foolscap sheets by Dr. Belknap of New York, the New England lists and the Genealogic Lists - zines and any other records not named herein, to eliminate the duplication of names to be sent to the Index Bureau, 80 North Main St., Salt Lake City, Utah by your petitioner.

In the discretion of the court, your petitioner further prays for a restraining order prohibiting said Belle Belnap, or whosoever may be in possession of said records, from concealing or disposing of any, or all of said records; and

Further prays that an order be issued to the presidency, secretary, genealogist, or anyone appointed by the court to deliver any and all of said records within 10 days to your petitioner, to enable her to properly prepare copies for the Index Bureau of the Utah Genealogical Society of the Church of Jesus Christ of Latterday Saints, 80 North Main Street, Salt Lake City Utah for the performance of temple ordinances, and for their preservation in the fireproof safe, provided by Myrum Belnap for this purpose, and for such other and further relief as the court may deem advisable.

State of Utah : ss
County of Salt Lake :

Flora Belnap

Flora Belnap, the petitioner herein, has read the foregoing petition and says that it is true to the best of her knowledge and belief.

Flora Belnap

Subscribed and sworn to before me this 13th day of September, 1955

Arthur Lambli

Notary Public, residing
Salt Lake City, Utah.

My Commission Expires
April 12, 1956

SEAL

11215

[Handwritten signature]

SEP 13 1955

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
IN AND FOR WEBBER COUNTY, STATE OF UTAH

.....
IN THE MATTER OF THE :
ESTATE OF : 6076
HYRUM BELNAP, : PETITION
Deceased . :
.....

AA

TO THE ABOVE ENTITLED COURT:

Comes now Flora Belnap, the eldest of the heirs of the deceased Hyrum Belnap, and petitions the court for the re-possession of the following:

I. Temple records A B and C deposited in the Genealogical Department established by the Reverend James E. Carver, in harmony with the Los Angeles libraries, the Lansing, Michigan and Detroit, Michigan libraries, known to your petitioner and other up-to-date libraries.

II. For the possession of all records from which said records were compiled and indexed by your petitioner, also any others which may assist in the completion of said temple records, also for the checking to avoid duplication of additional genealogical and historical information.

III. For any records of the Knight, McBride, Mead, Lee and any other associated families.

That your petitioner managed the lumber business of her father during his absence for about three months, travelling from state to state in the East, when he collected much data extending to the Pilgrims of America and to the tenth century in England. That immediately after the return of Hyrum Belnap, your petitioner began the arduous task of segregating the various lines repeated in the various records and compiling and referencing them in the temple records.

That the cost of all amounts to more than Two Thousand Dollars and much more as fires have destroyed much information.

That your petitioner has loaned her data to the libraries in Des Moines, Iowa, Lansing, Michigan libraries, who expressed their deep gratitude and transmitted the information to the main library at Detroit, Michigan, to enable all eligible for membership in the Sons of the American Revolution and the Daughters of the American Revolution to secure membership therein.

Some years before the passing of Myrum Belnap, Sept. 18, 1938, Della Belnap borrowed the compilations made by your petitioner, completed the copy thereof, and in the presence of your petitioner and others, Myrum Belnap emphatically instructed Della Belnap to return said records. Myrum Belnap gave Flora Belnap the fireproof safe, which he purchased from Matt Gilles at a cost of \$600 more or less, in which to store and preserve the records.

When Myrum Belnap was turned out of the home he had given the mother of Della Belnap (in which there were three husky grown-ups, Della, Byron and Gladys) to render any assistance to Myrum Belnap, if necessary, and Myrum Belnap was trying to furnish a room above his lumber company office, your petitioner called her brother Judge Myrum A. Belnap, Marston E. Kerr and Olive B. Jenson and they met and returned the deed of their home, 2149 Madison Avenue, where he was always welcome to rest and be cared for during any illness, which he did on numerous occasions.

Your petitioner resided in an undesirable building, in a worse neighborhood, at ~~2149 Madison Avenue~~ 2042 Pingree Ave, Ogden, Utah. Therefore she requested her brother Myrum A. Belnap to secure all the records, that she might complete them. Accordingly Judge Lewis V. Trueman granted the return. Your petitioner happened to be in his chambers when he returned and said "I've gotten your records for you." "What records, he said, the three temple records. Your petitioner said "What about all the originals, as nothing could be accomplished without them." He took his telephone and asked Della where the lacking records were and she willingly told him. However, the only ones returned were Temple records A B and C. The date of the hearing was

May 8 1939.

While your petitioner was making further research for genealogy in Los Angeles, California, her father passed away, Sept. 18 1938. Upon her return, your petitioner found that all the records, all the sheets, pillow slips, towels, blankets, quilts, fruit bottled by your petitioner and some books, which were Flora Belnap's personal belongings had been removed from her mother's home. Her mother, Christiana Rasmussen was the legal wife of ~~Hyrum~~ Belnap. The records had been carefully sorted as the unindexed carbon copy of the Franklin Belnap records, A B C D was left on a ~~close~~ shelf, while the original copy, indexed by your petitioner herself ^{was gone.} ~~was left.~~ The Henry Wyckoff Belnap records were copied by Olive B. Jenson, with some help of Flora Belnap. A leather bound book of the poems of Edgar A. Guest, a gift from Flora to her father was missing, but in its place was a paste board small book of Edgar A. Guest's, bearing the inscription: "To Father from Arias and Mabel 1935" was left. This book your petitioner had never seen before. A small note book of missionary sermon notes of Flora's was found on the east room dresser-the room that Della occupied. The other rooms were occupied at various times by other members of Della's family.

Your petitioner brot to Samuel G. Dye, the administrator representing her mother's family, the three temple records, hoping that Della would supply all the originals of the copy she made, entitled in the decree "A complete copy of everything mentioned". They were given to Flora Belnap by her brother, Judge Hyrum A. Belnap, called Temple Records A B and C. which were ordered, by request of Flora Belnap, deposited in the Carnegie Library, for the free use and benefit of everybody.

All of the family of Arias G. and Della Belnap evaded any knowledge of the records to every enquirer, until one, Leroy

Shoore

Robert Sommers called on Della Belnap at her residence, 2341 Madison Avenue, Ogden, Utah, October 15, 1941. He said she spread out so many records that she covered all the sofa, chairs and tables in an effort to locate his ancestor, Eli Belknap. Before leaving he typed his own affidavit as follows:

AFFIDAVIT

State of Utah :
County of Weber : ss

"I, Leroy Robert Sommers, a citizen of the United States of America, do hereby make the following statement:

"That between the hours of 6 P. M. and 7:20 P. M. October 15, 1941 I was in the apartment of Miss Della Belnap, 2341 Madison, to check the Belnap genealogy. While there, I saw in their possession, the following described records:

" The Belknap family, as compiled by Henry Wyckoff Belknap, of Salem, Mass.

"Also Belknap records as compiled by Franklin Belknap;

"Also Orange County and Newburgh." by Rattenburgh;

"Miss Della Belnap stated that she was in possession of numerous letters and various correspondence that passed between her father and Henry Wyckoff Belknap, and others.

"She also showed me a volume of family group sheets of her own ancestors and relatives of Belknap descent, about 6 or 8 inches in height.

Witnesses:

(Signed) Leroy Robert Sommers

Flera Belnap

"Subscribed and sworn to before me this 15th day of October, 1941.

(Signed) John R. Watson
Notary Public

(SEAL)

"My Commission Expires:
Jan 30 1945"

December 6, 1954, your petitioner wrote the Carnegie Library, Ogden, Utah, to check on the three temple records of mine, marked A B and C. They failed to reply, therefore I requested the assistance of the police department. Mr. L. M. Hilton, enquired if any instruments had been filed regarding the records. Mr. L. M. Malan's office replied that none had been filed. Recently I checked Mr. Malan's registry, which discloses that no instruments on records had been filed, and there are no minutes of court hearings thereof, and the letter for withdrawal sent to Hendricks, Eric G. and Della Belnap. Upon checking thru the files #6076, In the Matter of the

Estate of Hyrum Belnap I found a pre-dated instrument, as of may 29, 1954, illegally signed by Lester Belnap, purporting to be the president of the Gilbert Belnap Organization, requesting that My Temple records A B C be given to the Gilbert Belnap family organization, acting under unofficial color. Lester Belnap is in no way entitled to anything belonging to your petitioner or to the estate of Hyrum Belnap, a son of the legal wife, Adaline Knight. He is a son of Henrietta McBride, the plural wife of Gilbert Belnap, who maintained a very high reputation of honor and justice. Your petitioner further declares that year by year the names in the three Temple Records A B and C were sent to the Index Bureau, and cards including all work done are on file in the archives, not to be viewed by the general public; furthermore that Marion B. Kerr gave the Belnap Family a typed copy of the three temple records, in the hands of Gilbert Marriett, the genealogist, as your petitioner is informed, and she was informed that Gilbert Marriett not only photographed said records and historical data on file in the Utah Genealogical Society, but also photographed the records compiled by Glen Evans, who borrowed Flora Belnap's records, adding the few he had gathered thereto, which after the death of Glen Evans were donated to the Lansing, Michigan Library; furthermore Della Belnap not only has the "complete copy of everything" as stated in the final decree but has been in possession of all of the original manuscripts since 1938, as before described on page 4 of this instrument, which she freely exhibited to Leroy Sommers, all of which maneuvering would appear ridiculous in the extreme.

That in the summer of 1954, Lester Belnap and Gilbert Marriot called at the home of Flora Belnap, 438 E St., Salt Lake City, Utah and requested her to donate her records to be placed in an some container with no lock or key and not fireproof at the home of Gilbert Marriot near the Ogden Globe Mills, several miles west of Ogden, too far for your petitioner or any member of the (therefor their request was not granted. family not owning a car to walk) That your petitioner still has records she collected at Los Angeles, freely given her by the librarians of the Los Angeles libraries and the two genealogists who made special trips east in search of genealogies of various families to enlarge their enormous collection, also from six genealogists, all of which she has been denied the privilege of checking with the records of her father withheld by Della Belnap. That it is very necessary that they be checked to avoid duplication in sending the names to the Index Bureau. Your petitioner does not own an automobile, in which to transport said records, in the event that said Della Belnap or others should condescend to permit Flora's risking their removal from her fireproof safe, to Ogden, on a daily trip.

That the Carnegie Library of Ogden, Utah have an entirely different carbon copy of a letter. Miss Seoville showed your petitioner than the hurried notation from Elva L. Wattis that your petitioner discovered, for the first time in the files 6076, Weber County Clerk's Office, which has lowered the efficient standard established by Rev. Carver in establishing a genealogical department in keeping with all up-to-date libraries, viz. New York, Boston, Pennsylvania, Los Angeles, San Francisco, in which handwritten records have been both stored and accepted by the families of your petitioner.

Your petitioner, Flora Belnap, petitions the court for the following: A typed copy of Belknaps in England and America by Henry Wyckoff Belknap (the copy made by Olive Belnap-Jenson and Flora Belnap; a small reddish brown covered book of Belknaps, bound by Hyrum Belnap, with the name Hyrum Belnap in Laura Belnap's handwriting; the three Temple Records A B and C, the property of

Flora Belnap, secured for her⁻⁷⁻ by her brother, Hyrum A. Belnap, who gave them to Flora Belnap, when Della Belnap returned them under court order of Judge Lewis V. Trueman, which by an error were entered in the supplemental inventory and appraisement of F. A. Behling and Herbert Woods, who made no inquiry as to their enormous cost and value. These records were placed in the hands of the County Clerk for a period of fifteen days, were withdrawn by Della Belnap for a short period, and then placed in the Carnegie Library, at the request of their owner, Flora Belnap; that no one would be denied free access to the expensive collection of said records at a convenient place. Said Flora Belnap was, at that time and now is a tax payer supporting The Carnegie or Carnegie Free Library and assisted in donations for the fund appropriated by Andrew Carnegie for the building of said library. She has also donated heavily toward the collection and compilation of all family records thru travelling to various libraries and expensive contribution by correspondence, and is the only member of the Belnap family, except ~~William B. Belnap, John C. Belnap, and Della B. Kerr and Hyrum A. Belnap;~~ that Della ~~Hyrum A. Belnap~~ Olive B. Jenson and Marion ~~Hyrum A. Belnap~~ has repeatedly denied the former officers and members of the Belnap family any information. When Leroy Sommers was willing to contribute information, he is the only person that Della permitted to see the large collection taken from the home at 2149 Madison Avenue. Your petitioner was surprised that she asked anyone at the Belnap Reunion in the Fall of 1954 to look over her copy from Flora's compilation and the remainder of these, less than 100 years old, ^{spce} for which Flora Belnap left, to supply names of various enquirers for temple sheets supplied by Flora Belnap on a couple of days notice for request for temple work. So far as your petitioner is informed, said Della Belnap or any of her family of six, have ever collected or contributed genealogical information to add to the arduous work of Flora Belnap and her father, Hyrum Belnap.

That Della Belnap has collected some genealogies of the living descendants of Gilbert Belnap. That your petitioner, Flora Belnap, has information from ten correspondences and from memory some of it is a duplication of many of the records collected by her father, Hyrum Belnap, the reason for this request for said records.

Your petitioner further requests the written records of a direct line of Belknaps on foolscap sheets, the handwritten record of D. B. Belknap of New York, Leverett Belknap records, the New England Historical and Genealogical magazines and any other records that would eliminate duplication of families ready to be sent to the Index Bureau, 80 North Main St. Salt Lake City, Utah.

That Flora Belnap, Marion B. Kerr, Olive B. Jenson are the only legal heirs to possession of said above named records. They are the only contributors before the passing of Hyrum Belnap. That the aforementioned were not consulted, nor was any agreement ever entered into regarding the distribution of said records; that there should be no ethical reason for the denial of the free use of said records, as it is a common custom for genealogists to give freely of their information for religious and liberty loving purposes.

That the Carnegie Library and or the Carnegie Free Library is the property of the citizens and subject to the order of the court, and that the court ordered that the balance of the records known, also those hereafter found or discovered be held by the said library as bailee without charge for the said legatees, their heirs, next of kin perpetually, and while in custody of said library, opened for inspection and copying. (Refer to pages 6, 7 and 8 of the Final Decree "In the Matter of the Estate of Hyrum Belnap, deceased, signed by Judge Lester A. Wade.

That the Order of former Judge John A. Hendricks, with the purported date of May 29, 1854 was illegal, as before herein explained all the records had been sent to the Index Bureau, Salt Lake City, Utah, the Belnap ^{Belknap Surname} ~~and~~ / organization and other libraries, named herein.

That your petitioner has made repeated oral and written request for any and all of the records hereinbefore mentioned to avoid duplication in sending additional names she has secured to the Index Bureau, 80 North Main Street, Salt Lake City, Utah; Said request have been ignored by Della Belnap, also the presidency of the Belnap Family Organization and Arias G. Belnap, also Gilbert Marriott, the genealogist of the Belnap Family Organization.

That according to the best knowledge and belief of your petitioner the administrator, representing the family of Christiana R. Belnap was ^{not} consulted or advised of the filing, illegally, of petition of Lester Belnap, filed after the refusal of the family of Christiana R. Belnap, as not only the Belnap family and several libraries have been given copies of said Temple records A B and C without charge; neither did Elva L. Wattis report her illegal desire for the releasing the Carnegie Free Library of the records, when she was well aware that they belonged to your petitioner, neither did she express her refusal to accept the court's order, which your petitioner delivered in person to her, friendly relations having long existed between the Belnap, Littlefield and Wattis families for many years.

Wherefor your petitioner prays for the careful consideration of this petition for the restoring of the Temple records A B and C to your petitioner, as her own personal property, together with "The Belknap Family, as compiled by Henry Wyckoff Belknap, of Salem, Mass. Orange County and Newburgh by Ruttenbur., a small reddish brown covered book, bound by her father, Myrum Belnap, the hand written records on foolscap sheets by Dr. Belknap of New York, the New England Historical and Genealogical magazines and any other records not named herein, to eliminate the duplication of names to be sent to the Index Bureau, 80 North Main St., Salt Lake City, Utah by your petitioner.

In the discretion of the court, your petitioner, further prays for a restraining order prohibiting said Della Belnap, or whomever may be in possession of said records from concealing or disposing of any and all of said records; and

Further prays that an order be issued to the presidency, secretary, genealogist, or anyone appointed by the court to deliver and all of said records within 10 days to your petitioner, ^{with penalty thereon} to enable hereto to properly prepare copies for the Index Bureau of the Utah Genealogical Society of the Church of Jesus Christ of Latterday Saints, 80 North Main Street, Salt Lake City, Utah for the performance of temple ordinances, and for their preservation in the fireproof safe, provided by Myrum Belnap for this purpose, and for such other and further relief as the court may deem advisable.

Flora Belnap

State of Utah :
County of Salt Lake : ss

Flora Belnap, the petitioner herein, has read the foregoing petition, and says that it is true, to the best of her knowledge and belief.

Flora Belnap

Subscribed and sworn to before me this 13th day of September 1955.

Arthur Gambelin
Notary Public, residing
Salt Lake City, Utah

My Commission expires
April 12, 1956

SEAL

11318

[Handwritten signature and scribbles]

In the District Court of the Second Judicial District
In and for the County of Weber, State of Utah

ESTATE OF

Hyrum Balnef
Deceased

all
ORDER FIXING DAY

6076

IT IS HEREBY ORDERED that hearing upon the petition of

Flore Balnef

praying for

Records
to file additional names for temple work with Index Bureau of Utah Genealogical Society & for their placement in foreproof papers provided by Hyrum Balnef deceased & such other & further relief as the court deems advisable

in the above entitled matter, be had on *Monday* the *3rd* day of *October* 19*55*, at *11* o'clock *A.* M., and that notice of such hearing be given according to law

Dated *September 15,* 19*55*

Yvonne M. Mason
Clerk

Arthur E. Olson
Deputy Clerk

IN THE DISTRICT COURT
OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF WEBER.

IN THE MATTER OF THE ESTATE OF

HYRUM BELNAP

Deceased

UP
NOTICE

No. 6076

THE PETITION OF

Flora Belnap praying for Records to file additional names for temple work with Index Bureau of Utah Genealogical Society and for their placement in fire proof safe provided by Hyrum Belnap deceased, and such other and further relief as the court deems advisable,

In the above entitled matter

has been set for hearing before Hon. CHARLES G. COWLEY, Judge on Monday
the 3rd day of October, 1955, at 10:00 o'clock A.M.,

at the County Court House, in the court room of said court, in Ogden City, Weber County, Utah.

Flora Belnap,

In person

Witness, the Clerk of said court with the seal thereof affixed,

this 21st day of September, 1955

LAWRENCE M. MALAN

Clerk

By

Paul E. ...

DEPUTY CLERK

In the District Court of Weber County

STATE OF UTAH

ESTATE OF

HYRUM BELNAP

Deceased

STATE OF UTAH,
County of Weber,

ss.

AFFIDAVIT OF MAILING AND
POSTING NOTICES

No. 6076

I, L. B. Ames of Ogden City, in the said County of Weber, being first duly sworn, says: That he is a male citizen of the United States, over the age of eighteen years, and is not interested in or a party to the estate of said deceased; that on the 21st day of September 1955 he served notice as to the time and place set for the hearing of the petition of Flora Belnap praying for Records to file additional names for temple work with index bureau of Utah Genealogical Society and for their placement in fire proof safe provided by Hyrum Belnap deceased and such other and further relief as the court deems advisable,

in the above entitled matter

by depositing in the United States Postoffice at Ogden City, Weber County, Utah, with the postage thereon prepaid, a copy of said notice, the original of which is hereto annexed, addressed to each of the following persons at their places of residence as below designated, and that there is regular communication between said Ogden City and said designated places of residence by mail.

Flora Belnap	438 E. Salt Lake City, Utah
Marion B. Kerr	132 University St., Salt Lake City, Utah
Olive B. Jensen	2403 Harrison Blvd., Ogden, Utah
Lois Ellen Foster Belnap Adm.	2267 Harrison Blvd., Ogden, Utah
Dr. H. Earl Belnap	346-12th St., Sparks, Nevada
Arias G. Belnap	1111- 21st St., Ogden, Utah
Volney B. Belnap	917-21st St., Ogden, Utah
Jewel A. Furniss	Ammon, Idaho
Della Belnap	2341 Madison Ave. , Ogden, Utah 815-32nd. St.,
Gladys Carwin	355 Parry St., Ogden, Utah
Byron K. Belnap	904 24th St., Ogden, Utah
Thatcher & Young,	Ogden, Utah
Flora Belnap In person	438 E. Salt Lake City, Utah
Lester Belnap	R.F.D. Blackfoot, Idaho
Gilbert Marriott	948- W. 26th, Ogden, Utah

And deponent further says that on said 21st day of September A. D. 19 55, he posted true and correct copies of the annexed notice in the three most public places in Weber County, Utah, places found by the Court to be most likely to reach the parties interested, to-wit:

One of said notices at the front door of the Municipal Building, in Ogden City, Utah, the same being the place where the said District Court is held.

One notice at the Southeast corner of the Tabernacle Square, at the corner of Washington Boulevard and 22nd Street, in Ogden City, Utah.

One notice at the Southeast corner of the Postoffice Building, in Ogden City, Utah off the Postoffice grounds, near the curbing in the street.

Subscribed and sworn to before me this the

LAWRENCE M. MALAN, Clerk

21st day of September, 19 55

By Paul E. Carter, Deputy

438 E St.
Salt Lake City Utah
Sept. 19, 1955

Lawrence M. Malan,
County Clerk,
Ogden City, Weber County, Utah

Dear Mr. Malan:

In glancing over the petition I
filed last Thursday, case 6076, Hyron Belnap,
my address 438 E St. was omitted. Lester
Belnap, Blackfoot, R. F. D. Idaho, Arias,
you know, Della Belnap, 815 32nd, Ogden, I
think, Gilbert Marriott 948 W 26th, Ogden, Utah

Any others who may be required, I do not know.
In my consultation with Mr. Skeen this A. M.
I failed to mention this matter. As long
as you have been there you would know, and I
do not seem to find Mr. Skeen at this late
hour.

Yours sincerely,

Flora Belnap

Flora Belnap

*438 E St.
Salt Lake City
Utah*

*Pres. Res. F. Richards, in
General Conference, said "The
work for the salvation of the
dead is the most important
work in the Church of Jesus
Christ, and I have seen among
the Gods," Very helpful in my
work, as I believe it is the
most difficult of all the work I
do - and few people are interested
else - my typewriter used by some one
else last week has been out of
order, as you will note.*

*36-11
113-12*

SEP 21 2 44 PM '55

RECEIVED

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT FOR WEBER
COUNTY, STATE OF UTAH

Estate of Hyrum Belnap, Deceased, No. 6076 ✓ A

Flora Belnap et al vs. V. Rapp, No. 27475

Flora Belnap vs. S. C. Wilkinson, et al, No. 23058

Good cause appearing, it is ordered that J. D. Skeen of Salt Lake City, Utah, be and is hereby permitted to withdraw the above filed and to retain the same for fifteen days, provided that if called for during said time, that he forthwith return them all at the expense of the said J. D. Skeen.

Charles K. Cowley
JUDGE

Received the above files this ¹³~~17~~th day of December, 1955,
pursuant to the foregoing order.

J. D. Skeen
J. D. SKEEN
802 Utah Oil Building
Salt Lake City, Utah

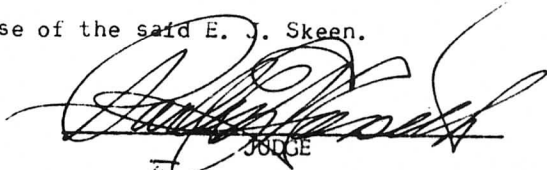
IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT FOR WEBER
COUNTY, STATE OF UTAH

Estate of Myrum Belnap, Deceased, No. 6076 *al*

Flora Belnap et al vs. V. Rapp, No. 27475 ✓

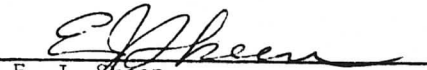
Flora Belnap vs. S. C. Wilkinson, et al, No. 23058

Good cause appearing, it is ordered that E. J. Skeen of Salt Lake City, Utah, be and is hereby permitted to withdraw the above files and to retain the same for fifteen days, provided that if called for during said time, that he forthwith return them all at the expense of the said E. J. Skeen.



JUDGE

Received the above files this 14th day of May, 1957,
pursuant to the foregoing order.


E. J. Skeen
802 Utah Oil Building
Salt Lake City, Utah

REC'D
MAY 14 1957

In the District Court of the Second Judicial District
Within and for the County of Weber, State of Utah

In the Matter of the Estate of

Hyrum Belnap

Deceased

Creditor's Claim

Sept. 18th. 1938	To: Casket, Embalming, Hearse & Auto services	\$327.00
	To: Clothing	21.00
	To: Grave Opening	8.00
	To: Cement Vault	15.00
	To: Newspaper Notice	1.00
	To: State Sales Tax	3.48
	Total	\$375.48

STATE OF UTAH, } ss.
County of Weber

E. A. Larkin

Whose claim is herewith presented to the Administrators, of the
Estate of Hyrum Belnap, Deceased

being duly sworn, on his oath says that the amount thereof, to-wit, the sum of
Three Hundred Seventy five & ⁴⁸/₁₀₀ DOLLARS

is justly due to said claimant; that no payments have been made thereon which are not credited, and there are no offsets to the same to the knowledge of affiant.

E. A. Larkin

Subscribed and sworn to before me this 10 day of December, 1938

Wm. A. Shaw

Notary Public

Foregoing claim approved (\$ 375.48) Three hundred seventy five
9 48/100 dollars, this 10 day of December, 1938

Archie Belnap
- Administrator Guardian Executor

Received Payment in full
Sept 21 1938 Wm. A. Shaw
E. A. Larkin