



2012-00503

PATRICIA 'PATTY' LYCAN
CRAWFORD COUNTY
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RECORDER'S DATA ONLY

STATE OF ILLINOIS)
) SS:
COUNTY OF CRAWFORD)

AFFIDAVIT OF DEATH AND HEIRSHIP OF JAMES T. LINDSEY

The undersigned FAYETTA WILBER of 6275 N. 1700th, Palestine, Illinois and MARY ANN FULLING of 306 S. Washington, Palestine, Illinois, being of legal age and under no disability, and after being first duly sworn upon oath depose and state as follows:

1. The undersigned Affiants, being cousins of the decedent, JAMES T. LINDSEY, are well acquainted with the family of the decedent, JAMES T. LINDSEY, having known decedent for more than 20 years. The undersigned Affiants further represent that the following statements and information given are based upon their personal knowledge and are true and correct.

2. The decedent, JAMES T. LINDSEY, died intestate, March 28, 2003, a resident of Crawford County, Illinois. The decedent at the time of his death owned mineral interest in the lands and leases described in Exhibits A through G attached hereto and incorporated herein by this reference.

3. Decedent, JAMES T. LINDSEY never married and no children were ever born to or adopted by him. The decedent's parents were LEE LINDSEY and MARY TOHILL LINDSEY, both of whom predeceased him. The heirship of the decedent's deceased father, Lee Lindsey, is unknown. The decedent's mother, MARY TOHILL LINDSEY, was predeceased by her parents, CHARLES R. TOHILL and BERTHA TOHILL. After the death of BERTHA TOHILL, CHARLES R. TOHILL next married MARY M. TOHILL and they had nine children, namely: LEWIS TOHILL, CHARLES TOHILL, MAXINE LACKEY, EDWARD TOHILL, WILLIAM TOHILL, DONALD TOHILL, ROSE MARIE TAGGART, DAVID TOHILL and KATHERINE TOHILL. Of said children, EDWARD TOHILL, DONALD TOHILL and ROSE MARIE TAGGART survive.

The said LEWIS TOHILL died May 18, 1988 leaving as his sole heirs at law his son, RONALD ALLEN TOHILL, and his daughter, THEDA ROCHELLE HOLTSMAN, who subsequently died on May 1, 1992 leaving as her sole heirs at law her daughter, BETH ANN BOYER, and her daughter, REBECCA LYNN ANDERSON.

The said CHARLES L. TOHILL died May 28, 2008 leaving no surviving spouse and leaving no children.

The said MAXINE LACKEY died July 30, 1999 leaving as her sole heir at law her daughter, MARY ANN FULLING.

The said KATHERINE TOHILL died June 25, 1918 in infancy having never married.

The said WILLIAM TOHILL died August 6, 1943 having never married and having no children.

The said DAVID TOHILL died January 3, 2009 leaving as his sole heirs at law, his spouse, DOROTHY A. TOHILL, his daughter, VICKI FESTERVAN and his daughter, AMY RINSCH.

4. It is the undersigneds' understanding that under Illinois law, the mineral interest owned by JAMES T. LINDSEY at his death, would pass one-half to his father's heirs at law who are unknown and one-half to his mother's heirs at law who are the following in the proportions indicated:

A. One-sixth to EDWARD TOHILL, 6275 N. 1700th St., Palestine, IL 62451.

B. One-sixth to DONALD TOHILL, R.R.#4, Box 290, Lawrenceville, IL 62439.

C. One-sixth to ROSE MARIE TAGGART, 5306 N. 27th St., Arlington, VA 22207.

D. One-sixth to MARY ANN FULLING, daughter of MAXINE LACKEY, deceased, 306 S. Washington St., Palestine, IL 62451.

E. One-twelfth to DOROTHY A. TOHILL, the surviving spouse of DAVID TOHILL, deceased, R.R.#2, Box 157, Lawrenceville, IL 62439.

F. One-twenty-fourth to VICKI FESTERVAN, daughter of DAVID TOHILL, deceased, 427 Harrison Road, Coudrant, LA 71227.

G. One-twenty-fourth to AMY JO RINSCH, the daughter of DAVID TOHILL, R.R.#1, Box 151, Flat Rock, IL 62427.

H. One-twelfth to RONALD TOHILL, son of LEWIS TOHILL, deceased, 505 Monticello Dr., Vincennes, IN 47591.

I. One-twenty-fourth to BETH ANN BOYER, daughter of THEDA ROCHELLE HOLTSMAN, deceased, 103A Dareview Dr., Vincennes, IN 47591.

J. One-twenty-fourth to REBECCA LYNN ANDERSON, daughter of
THEDA ROCHELLE HOLTSMAN, deceased, 534 E. Stewart Road, Cadiz, KY 42211.

And further Affiants sayeth not.

Dated this 23 day of February, 2012.

Fayette Wilber
FAYETTA WILBER

Mary Ann Fulling
MARY ANN FULLING

STATE OF ILLINOIS)
) SS:
COUNTY OF CRAWFORD)

February Subscribed and sworn to before me FAYETTA WILBER this 23 day of
_____, 2012.

Max L. Tedford
Notary Public
"OFFICIAL SEAL"
MAX L. TEDFORD
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES NOV. 18, 2013

STATE OF ILLINOIS)
) SS:
COUNTY OF CRAWFORD)

February Subscribed and sworn to before me MARY ANN FULLING this 23 day of
_____, 2012.

Max L. Tedford
Notary Public
"OFFICIAL SEAL"
MAX L. TEDFORD
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES NOV. 18, 2013

EXHIBIT A

Property: 01 411079

L. N. TOHILL ETAL #1

W2 SW4 NE4 SEC. 31-T6N-R11W, CRAWFORD COUNTY, ILLINOIS

Property: 01 432076

H. K. TOHILL ESTATE #2

ALL THAT PART OF THE N/2 SE/4 SEC 30, T6N-R11W CONT. 70 ACRES, LYING EAST OF WHAT WAS FORMERLY KNOWN AS THE PARIS AND DANVILLE RAILROAD AND AFTERWARDS KNOWN AS THE CAIRO DIVISION OF THE C. C. C. AND ST. LOUIS RAILWAY COMPANY, AS LOCATED ON SEPT 8. 1890, CRAWFORD COUNTY, ILLINOIS

Property: 01 432078

H. O. SMITH

SE/4 NE/4; NE/4 SE/4 SEC 29, T6N-R11W, CRAWFORD COUNTY, ILLINOIS

Property: 01 432083

J. M. CRESWELL #1

SW/4 NE/4 AND 10 ACRES OFF THE SOUTH SIDE OF THE NW/4 NE/4 SEC 29, T6N-R11W,
CRAWFORD COUNTY, ILLINOIS

Property: 01 451628

EXHIBIT E
LEWIS N. TOHILL #1

SE4 SE4 SEC. 30 AND ALL THAT PART OF S2 SW4 SE4 SEC. 30, LYING E OF THE CENTER OF THE OLD RIGHT OF WAY OF THE CCC AND ST. L. RR, COMMONLY KNOWN AS THE BIG FOUR RAILROAD, & N2 SW4 SE4 SEC. 30 AND NE4 NE4 SEC. 31, EXCEPT 4A, CONVEYED BY LEWIS N. TOHILL AND WIFE TO WILLIAM EWING, ALL IN T6N R11W, CONT. 96A., MORE OR LESS, INsofar AS OIL AND/OR GAS MAY BE PRODUCED FROM FORMATIONS DOWN TO AND INCLUDING THE FORMATION KNOWN AS THE ROBINSON SAND, CRAWFORD COUNTY, ILLINOIS

Property: 01 451632

L.N. TOHILL #3

S/2 NE/4 EXCEPT 20 ACRES OFF WEST END SECTION 31, TWP6N, R11W, INsofar AS OIL AND/OR GAS MAY BE PRODUCED FROM FORMATIONS DOWN TO AND INCLUDING THE FORMATION KNOWN AS ROBINSON SAND, CRAWFORD COUNTY, ILLINOIS

EXHIBIT G

Bi-Petro, Inc. Lease

L.N. Tohill et al, #1, Property #9772