

# THE STATE OF NEW HAMPSHIRE

STRAFFORD, SS.

COURT OF PROBATE.

TO THE HONORABLE JUDGE OF PROBATE FOR THE COUNTY OF STRAFFORD:

Your Petitioner ( ) Town of Durham

of Durham in said County

respectfully represent (S) that:

1. On November 7, 1961, your Petitioner filed a Petition concerning the Estate of Edith Angela Onderdonk.

2. That said Petition prayed that the Honorable Probate Court call for an accounting by the Trustees.

3. That the Fidelity & Deposit Company of Maryland be called to account for the Trustees' action.

4. That such relief as may be just might be granted.

5. That the Honorable Probate Court for Strafford County set a hearing for March 27, 1962; said hearing was continued to April 17, 1962; and said hearing was continued to May 15, 1962.

6. That, during this period, your Petitioner has contacted the sole Trustee and by agreement has agreed to the following terms and conditions:

(a) That the corpus of the original Trust Fund of Five Thousand Dollars (\$5,000.00) be delivered to the Trustees of Trust Fund for the Town of Durham.

(b) That the surviving Trustee convey the "Chapel Reservation" as contained in the will of Edith Angela Onderdonk, now deceased, to the Town of Durham, by Quitclaim Deed.

(c) That the Trustees of Trust Fund for the Town of Durham be authorized to invade the corpus of the Trust Fund for initial repairs to the Chapel, so-called, and that the balance be invested so that the income might be available for future maintenance of the Chapel, so-called.

(d) That the present trust be terminated, and the Trustee thereof, be relieved of any further obligation to the Honorable Probate Court for Strafford County; and that the bonding company be relieved of any further liability on its bond for this trust solely.

(e) That the Trustees of Trust Fund for the Town of Durham shall account for their action in the usual manner as prescribed by statute.

(f) That, by agreement, said Alice O. Van da Linda and her husband shall retain to themselves the sole right to be buried within the burial area of the Chapel grounds, should they so desire.

Wherefore, your petitioner ( ) pray (S) .....

1. That the Honorable Probate Court for Strafford County make a decree incorporating the agreement of the parties hereto.

2. For such other relief as may be just.

Dated the 23rd day of May, A. D. 1963.

Town of Durham

BY: Joseph E. Michael, Jr.  
Their Counsel

STATE OF NEW HAMPSHIRE, STRAFFORD, SS.

Then personally appeared the above named Town of Durham, by Joseph E. Michael, Jr., Their Counsel, and made oath that the facts alleged in the foregoing by him subscribed are, true, according to the best of his knowledge and belief.

Before me,

Stephen C. Wallace  
Justice of the Peace.

STRAFFORD, SS.

COURT OF PROBATE.

At a <sup>special</sup> Court of Probate held at Dover in said County on the fifth day of June, A. D. 1963

upon due consideration of foregoing petition, it is decreed that the prayer thereof be granted ~~and that~~

William E. Collins  
Judge of Probate.