

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, IN AND FOR MARTIN
COUNTY, FLORIDA

IN RE: ESTATE OF

CLARENCE H. SMYTH, JR.,

Deceased.

/ CASE NO: 42-2017-CP-000444

**PETITION FOR ADMINISTRATION
(intestate Florida resident -- one petitioner)**

Petitioner, Patricia Smyth, alleges:

1. Petitioner has an interest in the above estate as the Curator of the estate and intestate heir of the Decedent. Petitioner's address is 126 Guy St., Coalmine, WV 26062, and the name and office address of petitioner's attorney are set forth at the end of the petition.

2. Decedent, Clarence H. Smyth ("Decedent"), whose last known address was 8111 SE Sand Circle, Hobe Sound, FL 33455, whose age was 74 years, and whose social security number is XXX-XX-1111, died on June 1, 2017 at Hospice of Palm Beach County in Palm Beach County, Florida. On the date of death decedent was domiciled in Martin County, Florida.

3. The Decedent was not survived by a spouse, had no children, and had no siblings. The Decedent was an only child. The Decedent's parents are deceased. The Decedent's parents had siblings (Decedent's aunts and uncles) who are all deceased. The Decedent's mother, Alice Knute Smyth had 10 siblings who lived to adulthood, and the Decedent's father, Clarence H. Smyth, Sr. had 2 siblings. Between the Decedent's 12 aunts and uncles, they produced 33 children, who are the first cousins of the Decedent. Three of the Decedent's first cousins are deceased, leaving 30 surviving first cousins. One of the deceased first cousins had no children, one had 3 children, and the other one had 2 children. Therefore, there are 30 remaining first cousins and 5 first cousins once removed, for a total of 35 heirs, all of whom are adults. The names and addresses of the first cousins and first cousins once removed are as follows:

Karen Smyth
111 Chickadee Trail
Michiana Shores, IN 46360
First Cousin

Pamela Smyth Popp
1900 Shorewood Drive
Long Beach, IN 46360
First Cousin

Dreama Smyth
c/o Tawnya Metheny
131 Miller Ave.
Coalmine, WV 26062
First Cousin

Sharon Bunny
1308 Indian Camp Road
Clayton, NC 27520
First Cousin Once Removed

William Smyth
210 Falcon Court
Clayton, NC 27520
First Cousin Once Removed

Brad Smyth
6522 Old Fairground Rd.
Benson, NC 27504
First Cousin Once Removed

Richard J. Smyth
8330 Lighthouse View
Colorado Springs, CO 80920
First Cousin

Diane Rabbit
3917 Brightway St.
Coalmine, WV 26062
First Cousin

Barbara Smyth
3844 Lindberg Way
Coalmine, WV 26062
First Cousin

Robert P. Smyth
19 Lariat Rd.
Silt, CO 81652
First Cousin

James M. Smyth
338 6th St NW
New Philadelphia, OH 44663
First Cousin

Mary Alice Grattan
2848 Connecticut Ave.
Pittsburg, PA 15216
First Cousin

Patricia Smyth
126 Guy St.
Coalmine, WV 26062
First Cousin

Richard Mustard
128 California Ave.
Coalmine, WV 26062
First Cousin

Betty Ritchie
190 N. 20th St.
Coalmine, WV 26062
First Cousin

Jeffrey Mustard
4316 Wells St.
Coalmine, WV 26062
First Cousin

Donna Walker
3407 Sulphur Bedford Rd.
Bedford, KY 40006
First Cousin

Vincent P. Knute, Jr.
134 Gregg Ave.
Bloomington, OH 43910
First Cousin

Michael Knute, Sr.
1412 Township Rd. #290
Hammondsville, OH 43930
First Cousin

David Knute
4335 Milo Rd.
Carrolton, OH 44615
First Cousin

Karen Smyth
8516 196th St SW Apt 314
Edmonds, WA 98026
First Cousin

Mary Martha Gross
7500 Ross Park Dr. Apt 421
Pittsburg, PA 15237
First Cousin

Rose Ann Smyth
19 Phillips Ave.
Corapolis, PA 15108
First Cousin

William Knute
3106 St. Charles Dr. Apt 109
Steubenville, OH 43952
First Cousin

Michele Noninger
Unknown Address
First Cousin Once Removed

Katie Knute
319 South Main St.
Roxboro, NC 27573
First Cousin Once Removed

Thomas Knute, Sr.
525 Cove Rd.
Coalmine, WV 26062
First Cousin

Richard Knute
111 Fox Run Place
Lebanon, OH 45036
First Cousin

Kathryn Volk
1433 Wyldewood Dr.
Madison, WI 53704
First Cousin

Mary Jumpan
19 Pier Pointe
New Bern, NC 28562
First Cousin

Christopher Knute
4545 Cory Corners Rd.
Marion, NY 14505
First Cousin

Carolyn Knute
123 Shore Rd.
Pocasset, MA 02559
First Cousin

Paul D. Knute, II
131 State Route 64
Canandaigua, NY 14419
First Cousin

Ellen Knute Eccleston
123 Shore Rd.
Pocasset, MA 02559
First Cousin

Diane McFarland
P.O. Box 74
Moran, WY 83013
First Cousin

4. Venue of this proceeding is in this county because it was the county of the decedent's residence at the time of the decedent's death.

5. Patricia Smyth, who is qualified under the laws of the State of Florida to serve as personal representative of the decedent's estate, is entitled to preference in appointment as personal representative because she is the Curator of the estate, the first cousin and intestate heir of the Decedent, and is appointed by the majority in interest of the heirs, as more particularly reflected on the chart attached hereto as **Exhibit A**. Those who agree that Patricia Smyth should be personal representative have executed a waiver and consent in favor of Patricia Smyth.

6. A family tree reflecting the Decedent's paternal family is attached as **Exhibit B**, and a family tree reflecting the Decedent's maternal family is attached as **Exhibit C**.

7. The nature and approximate value of the assets in this estate are:

Homes:

8642 SE Sand Circle, Hobe Sound FL 33445 (Exempt Homestead Property)

238 Bridge Rd., Jupiter, FL 33477 (approx. \$395,000.00)

Home located in West Virginia (address and value unknown at this time)

Cars

5 cars

Cash, Stocks, other assets

1,500,000.00 (approximate – however, Curator is in process of marshalling assets)

111 acres of mineral rights in West Virginia (unknown value – however, Curator in process of marshalling assets)

8. The estate will not be required to file a federal estate tax return.

9. After the exercise of reasonable diligence, petitioner is unaware of any unrevoked wills or codicils of decedent.

10. Domiciliary or principal proceedings are not known to be pending in another state or country.

Petitioner requests that Patricia Smyth be appointed personal representative of the estate of the decedent.

Under penalties of perjury, I declare that I have read the foregoing, and the facts alleged are true, to the best of our knowledge and belief.

Signed on _____, 2017.

