

IN THE PROBATE COURT OF SALINE COUNTY, ARKANSAS

IN THE MATTER OF THE ESTATE OF  
DOLORES CORNETT WEBB, DECEASED

NO. 95-080-1

MOTION TO WITHDRAW WAIVER AND  
MOTION TO REMOVE ADMINISTRATOR AND  
FOR THE APPOINTMENT OF SUCCESSOR ADMINISTRATOR

Comes Candis Gem Webb, daughter of Dolores Cornett Webb, deceased, and co-beneficiary of her estate, and for Motion states:

1. That on the 8th day of March, 1995, Candis Gem Webb signed a Waiver of Bond, Inventory, Accounting and Notice.
2. That Candis Gem Webb elects to withdraw the Waiver because Doyle L. Webb, II., has failed and refused to properly administrate the estate.
3. That Doyle L. Webb, II., refuses to confide and inform Candis Gem Webb of the status of the estate.
4. That funds have been misused and unaccounted for.
5. That no action has been taken by the administrator to settle the estate and divide its assets.
6. That a full accounting should be made by Doyle L. Webb, II., and he be thereafter immediately removed as administrator and a successor administrator appointed.
7. That the administrator has made purchase of property without the knowledge and consent of Candis Gem Webb and funds have been combined with the personal property of Doyle L. Webb, II.

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WHEREFORE, Candis Gem Webb, prays that the waiver signed by her on March 8, 1995, be withdrawn and cancelled; that Doyle L. Webb, II., be required to immediately account for all monies passing through his hands on behalf of the estate, and for all property passing through his hands of the estate; that he be removed as administrator and successor administrator be appointed; and for all other relief to which she is entitled.

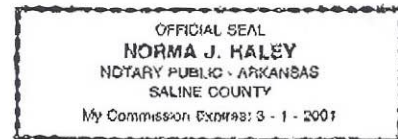
✓ Candis G Webb  
CANDIS GEM WEBB

SUBSCRIBED AND SWORN to before me, a Notary Public, on this 22<sup>nd</sup> day of October, 1997.

Norma Haley  
NOTARY PUBLIC

My Commission Expires:

March 1, 2001



CERTIFICATE OF SERVICE

I, JOHN F. LOVELL, JR., do hereby certify that I have mailed a copy of the foregoing pleading to Doyle L. Webb, II., on this 22<sup>nd</sup> day of October, 1997.

John F. Lovell Jr  
JOHN F. LOVELL, JR.

IN THE PROBATE COURT OF SALINE COUNTY, ARKANSAS

IN THE MATTER OF THE ESTATE OF  
DOLORES CORNETT WEBB, DECEASED

NO. 95-080-1

RESPONSE TO MOTION TO WITHDRAW WAIVER AND  
MOTION TO REMOVE ADMINISTRATOR AND  
FOR THE APPOINTMENT OF SUCCESSOR ADMINISTRATOR

Comes Doyle L. Webb, II, the Administrator herein, and for his response to the Motion of Candis Gem Webb filed herein on October 23, 1997, states:

1. The Administrator admits the allegations in paragraph 1 of the Motion.
2. The Administrator has no objection to Candis Gem Webb's withdrawal of her Waivers of Bond, Inventory, Accounting and Notice. The Administrator denies the remaining allegations of paragraph 2 of the Motion.
3. The Administrator denies the allegations in paragraph 3 of the Motion.
4. The Administrator denies the allegations in paragraph 4 of the Motion.
5. The Administrator denies the allegations in paragraph 5 of the Motion.
6. The Administrator is willing to file an Accounting and requests thirty (30) days within which to do so. The Administrator is willing to continue to serve but is also willing to resign in favor of a successor administrator appointed by this Court. The Movant has suggested hiring Benton State Bank as Successor Administrator which suggestion is agreeable to the Administrator.
7. The Administrator denies the allegations of paragraph 7 of the Motion.

WHEREFORE, Doyle L. Webb, II, the Administrator herein, prays that in the event the Court enters an Order allowing the Movant to withdraw the Waivers signed by her on March 8,

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1995, the Court allow him thirty (30) days to account for all property passing through his hands as administrator of the estate; authorizing the Administrator to continue to serve or appoint Benton State Bank as successor administrator, and for all of the relief to which he may be entitled.

Respectfully submitted,

EICHENBAUM, LILES, HEISTER & BAUMAN, P.A.

By:



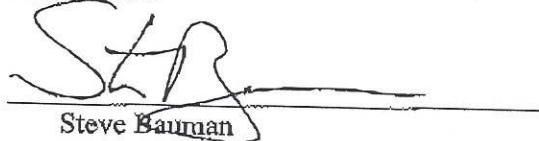
Steve Bauman, Ark. Bar #77007

124 W. Capitol Avenue  
Suite 1400  
Little Rock, AR 72201-3736  
(501) 376-4531

Attorneys for Doyle L. Webb, II, Administrator

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Response to Motion was served by U.S. mail, first-class, postage prepaid, on John F. Lovell, Jr., Lovell & Nalley, 501 North Main Street, Benton, Arkansas 72018 on this 5<sup>th</sup> day of November, 1997.



Steve Bauman

IN THE PROBATE COURT OF SALINE COUNTY, ARKANSAS

IN THE MATTER OF THE ESTATE OF  
DOLORES CORNETT WEBB, DECEASED

NO. 95-080-1

**ORDER**

Comes on to be heard the Motion of Candis Gem Webb to withdraw Waivers, to remove Administrator and for the appointment for Successor Administrator, and the Response of the Administrator thereto, and the Court, from the Motion and Response finds:

1. That the Administrator has no objection to Candis Gem Webb's withdrawal of her Waivers of Bond, Inventory Accounting and Notice.
2. That the Administrator should file an Accounting of the property passing through his hands as Administrator of this estate.
3. That Doyle L. Webb, II is willing to resign as Administrator and Metropolitan National Bank should be appointed Successor Administrator. That Metropolitan National Bank is a bank belonging to the Federal Reserve System whose deposits are insured by the Federal Deposit Insurance Corporation, and the requirement for a fiduciary bond should be excused.


It is, therefore, CONSIDERED, ORDERED AND ADJUDGED that:

1. The Waivers of Bond, Inventory, Accounting and Notice filed herein by Candis Gem Webb be and they hereby are withdrawn and revoked;
2. Doyle L. Webb, II shall file an Accounting of the property passing through his hands as Administrator within thirty (30) days from the date of this Order; and
3. Doyle L. Webb, II be and he hereby is discharged as Administrator of this estate and

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Metropolitan National Bank is appointed Successor Administrator of this estate, without bond and that Letters of Administration shall be issued to said personal representative upon filing of an Acceptance of Appointment.

  
\_\_\_\_\_  
Probate Judge  
Date: November 21, 1997

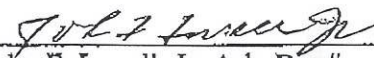
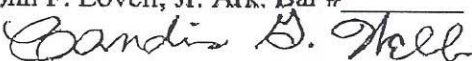
APPROVED AS TO FORM:

EICHENBAUM, LILES, HEISTER & BAUMAN, P.A.  
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(501) 376-4531

By:   
\_\_\_\_\_  
Steve Bauman, Ark. Bar #77007

Attorneys for Doyle L. Webb, II, Administrator

Lovell & Nalley  
501 North Main Street  
P. O. Box 606  
Benton, AR 72018

By:   
\_\_\_\_\_  
John F. Lovell, Jr. Ark. Bar #  


Attorneys for Candis Gem Webb

SB:webb:order