Bk467p191

(Estate's First Court account at Book 467 pages 191 through 196)

The answers are in exposing this

VIRGINIA: IN THE CIRCUIT COURT OF FAIRFAX COUNTY

IN RE: ESTATE OF JEAN M. O'CONNELL

FIDUCIARY NO. 49160

Date of Qualification: December 10, 1991

FIRST ACCOUNTING OF

EDWARD J. WHITE AND JEAN M. NADER



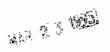
CO-EXECUTORS

<u>September 15, 1991 - September 15, 1992</u>

RECEIPTS

Inventory Items

ck Wash Gas Light Co. 8/1/91	105.00
ck Signet 8/5/91	39.60/
ck A. G. Edwards 8/15/91	2,346.63
ck Kemper Mun Bond Fund 4/30/91	162.86
ck Kemper Mun Bond Fund 5/31/91	162.86
ck Kemper Mun Bond Fund 7/31/91	162.86
ck Kemper Mun Bond Fund 8/30/91	162.86
Ck Nuveen Fund 3/1/91	63.00
Ck Nuveen Fund 5/1/91	63.00
ck Nuveen Fund 6/3/91	63.00
ck Nuveen Fund 8/1/91	66.50
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ck American Funds 9/9/91	424.76
Sovran Bank #4536-2785	3,310.46
First Virginia Bank #4076-1509	22,812.52
Fx Co. Ind Dev Bond	109,587.00
Franklin Va. Fund 4556.001 sh	51,396.34 / AMD /
Investment Co. of America 3861.447 sh	65,663.91
Kemper Mun Bond Fund 2961.152 sh	30,396.23
Nuveen Premium Inc Mun Fund 700 sh	11,200.00 AMD
Washington Gas Light Co. 200 sh	6,375.00/
Signet Banking Corp 198 sh	4,331.25 🗸
Lynch Properties note	518,903.26
Travelers Check	20.00
1988 Plymouth Van	8,000.00
Am Funds ck 5/10/91	326.60
USAA Subscriber sav acct	25.10 AMD
Sub Total Inventory Items	836,237.10
and fordt thisenrolly trams	030,237,104



Receipts During Period

•	
First Virginia Bank int	399.58
ck Nuveen 11/1/91	66.50
ck WGL 11/1/91	105.00
ck Kemper 10/31/91	162.86
ck Nuveen 10/1/91	66.50
ck Kemper 9/30/91	162.86
Va. 1990 refund	1,605.58
Nuveen 12/31/91	66.50
Kemper 12/31/91	384.95
Kemper 11/29/91	162.86
Signet 11/27/91	39.60
Nuveen 12/2/91	66.50
Blue Cross 10/10/91	88.78
Int B&H earned 2/11	111.22
Nuveen 2/3/92	66.50
WGL div 2/1/92	105.00
Sovran int DOD-3/2/92	71.52
ck Signet 2/26/92	39.60
ck A. G. Edwards (Fx bond) 2/18/92	3,520.00
ck Kemper 2/28/92	
ck Nuveen 3/2/92	171.75
Int B&H 3/10	66.50
	246.12
ck Kemper 1/31/92 Int B&H 4/10	171.75
Int Lynch Prop Note DOD-4/21/92	210.76 26.917.17
Int fm Harold 'Connell Trust	816.00
Debt fm Harold O'Connell Trust	659.97
Nuveen 4/1/92 USAA refund	34.37
Int B&H 5/11	1,144.70
A. G. Edwards 5/27-Signet \$107 div	1,144.70
WGL div 39.60	146.60
Int earned B&H	1,037.93
Nuveen 6/1/92	66.50
Int earned B&H	666.39
Nuveen 7/1/92	66.50
Int earned B&H	451.50
Nuveen 8/3/92	66.50
Nuveen 9/1/92	67.90
	24 50
Nuveen 9/1/92	24.50
Int earned B&H	406.86
Int earned B&H Inc Invest Co. of America DOD-9/15/92	406.86 5,403.87
Int earned B&H Inc Invest Co. of America DOD-9/15/92 A. G. Edwards acct Fx bond int	406.86 5,403.87 3,520.00
Int earned B&H Inc Invest Co. of America DOD-9/15/92 A. G. Edwards acct Fx bond int A. G. Edwards acct Signet div	406.86 5,403.87 3,520.00 39.60
Int earned B&H Inc Invest Co. of America DOD-9/15/92 A. G. Edwards acct Fx bond int A. G. Edwards acct Signet div A. G. Edwards acct WGL div	406.86 5,403.87 3,520.00 39.60 107.00
Int earned B&H Inc Invest Co. of America DOD-9/15/92 A. G. Edwards acct Fx bond int A. G. Edwards acct Signet div A. G. Edwards acct WGL div Kemper Mun Bond Fund DOD-9/15/92	406.86 5,403.87 3,520.00 39.60 107.00 1,468.42
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Ite	em em	Ckno
1	Colonial Emerg Phys (med bill) VOID	1 10.40
2	Fairfax Circ Ct. letters	3 14.00
3	Jean M. Nader probate tax reimb	4 1,269.00
4	NationsBank Car loan payoff	5 1,364.97
5	Checks	15,89
6	Jean Nader int on Hallmark acct	
	while dep in estate acct	7 270,82 $\sqrt{1}$
7	Commissioner of accounts Inventory	8 61.00/
8	IRS 1991 1040 return	9 15,332.00
9	Va. Dept Tax 1991 return	10 2,856.00
10	Jean M. Nader, disb	11 \$ 75,000.00
一11	Jean M. Nader, bills pd SHE IS OWED 3000 to	12 8,559.00
12		13 4 75,000.00
13		14 475.00
14		15 \$75,000.00 \frac{1}{3}
15		16 230.14
	A. G. Edwards legal charge (debit fm div)	40.00
17	IRS estimated Estate Tax	17 119,000.00
10	The state of the s	18 31,000.00
19		19 28,334.00
20		21 5,712.00
21	National Fire Ins Co of Hartford	20 250 251
~~	Nuveen bond	22 169.26
22	U. S. Trust processing fee	23 20.00/
23	Harold O'Connell Trust, appraisal	24 6 2,000.00/
24		101433,000.00
25		102633,000.00
26 27	•	1032/33,000.00 104 241.81
28		104 241.817
20	1988 Plymouth Van to Anthony O'Connell	\$ 0,000.00\$
TO:	FAL DISBURSED	548,975.29

Vouchers in support of these disbursements are submitted herewith.

NOTES:

1. Decedent had a POD account in Hallmark Bank with Jean Nader. The bank erroneously paid the amount to the estate. This figure is the interest earned on that sum while in the estate account.

2. This represents interest earned in the estate account on the amount of the disbursement while the disbursal was delayed. This is to equalize the disbursements among the legatees.

3. Estimated tax was paid with an extension request.

4/ Expenses incurred due to lost Nuveen certificate of ownership.

Decedent owned a partial interest in 15 acres of land in Accotink. The Harold O'Connell Trust owned the other share. The estate agreed to pay for the appraisal which hopefully will reduce the value of the tract by 50%. The beneficiaries of the Trust are the same persons as the devisees under the will and in the same shares.

 \checkmark 6. When the 1991 income tax was prepared by Edward J. White, Co-Executor, a large capital gain was omitted necessitating the filing of an amended return. \$526.55 was assessed in interest by the IRS. The figure is the amount of interest earned by the estate while the amount due the IRS was in the estate bank account. The balance of the interest assessment was paid by Edward J. White.

J. Jean M. Nader and Sheila O'Connell-Shevenell agreed that the vehicle should be disbursed to Anthony M. O'Connell in addition to his 1/3 share of the remainder of the estate.

RECONCILIATION

893,165.52 SUM RECEIPTS 548,975.29 SUM DISBURSED RECEIPTS LESS DISBURSEMENTS 344,190.23

ON_HAND

Burke and Herbert Bank & Trust Co.	49,110.76
Investment Co. of America (A. G. Edwards)	71,067.78
Franklin Virginia Fund (A. G. Edwards)	56,987.19
Kemper Municipal Bond Fund (A. G. Edwards)	31,864.65
Fx Co. Ind Dev Bond (A. G. Edwards) Inv value	109,587.00
A. G. Edwards MMA and cash	3,666.60
Nuveen Premium Inc Mun Fund (A. G. Edwards)(inv	val) 11,200.00
Washington Gas Light Co. 200 sh (Inv value)	6,375.00
Signet Banking Corp 198 sh (Inv value)	4,331.25

TOTAL ON HAND TO BE DISTRIBUTED

344,190.23

DIFFERENCE

0.00

Edward J. White Co-Executor

Jean M. Nader

dol-Executor

IN THE OFFICE OF THE COMMISSIONER OF ACCOUNTS CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

At the request of <u>Edward J. White</u>	,
Co-Executor and Attorney and Agent	of the estate
ofJean M. O'Connell	, deceased, I gave
the notice required by Section 64.1-171 of t	the Code of Virginia,
1950, as amended, setting the30th day of _	December , 1992 ,
at $10:30$ A.M. at my office in Fairfax, V	rirginia, as the time
and place for receiving proof of debts and d	demands against the
estate ofJean M. O'Connell	·
At the said time and place, no one apper prove any debts or demands against said esta	
I hereby certify that I have stated the	e foregoing account
of	, deceased, after
having given the notice required by law, and	
GIVEN under my hand this day of 1993.	

Jesse B. Wilson, III Commissioner of Accounts Fairfax County, Virginia STATE OF VIRGINIA COUNTY OF FAIRFAX, to-wit:

I, JESSE B. WILSON, III, Commissioner of Accounts for Fairfax County, Virginia, do hereby certify that I have this day stated the foregoing account, after having given the notice required by law, and have approved the same. Vouchers for said disbursements were submitted therewith.

GIVEN under my hand this 10^{11} day of 1993.

JESSE B. WILSON, III Commissioner of Accounts Fairfax County, Virginia

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA:

I, JOHN T. FREY, Clerk of the Circuit Court of Fairfax County, Virginia, do hereby certify that the foregoing Account or Report has been filed in my office for more than fifteen days, and that no exceptions have been filed thereto, and the same is now recorded pursuant to the provisions of §§ 26-33 and 26-35 of the Code of Virginia, as amended.

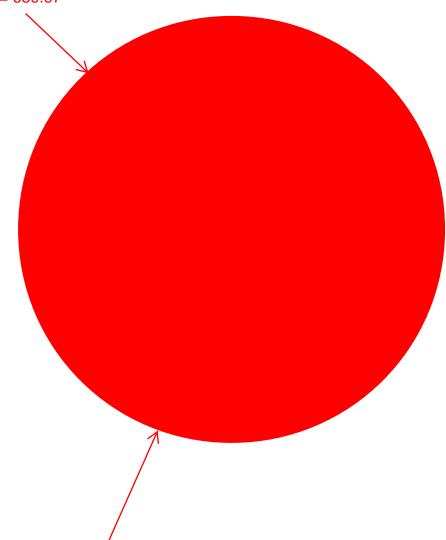
GIVEN under my hand this _______, 19_93_.

TESTE: JOHN T. FREY, CLERK

BY: Deputy Clerk

After nineteen years I have been able to expose only two accounting trails with certainty; both are accounting entanglements and neither is recognized by the accountants. Bk467p191 is a huge, impenetrable ball of confusion and conflict.

1,475.97 - 816.00 = 659.97



Appraisal fee is zero, not 2,000.00 as stated in note 5

Can we connect the dot for Bk467p191 being closed for nineteen years with the dot for killing the messenger who has been trying to open it for nineteen years? Can we find out where the money went?

Appraisal Fee

The \$2000 appraisal fee was paid for by the Trust. Bk467p191 says it was paid for by the Estate

	Ite	em	Ckno	,
	1	Colonial Emerg Phys (med bill) VOID	1 2	10.40
	2	Fairfax Circ Ct. letters	3	14.00
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	_		11.67	E 000 00
	10		1100/	5,000.00 8,559.00
_	11	Jean M. Nader, bills pd SHE IS OWED 3000 #5		
	12			5,000.00
	13	· · · · · · · · · · · · · · · · · · ·	14	475.00
	14			5,000.00
	15		16	230.14
	16		45 44	40.00
	17			9,000.00
	18			1,000.00
	19			8,334.00
	20		21	5,712.00
	21			
		Nuveen bond	22	169.26
r	22	U.S. Trust processing fee	23	20.00/1
ı	23	Harold O'Connell Trust, appraisal	24 10	2,000.00/
	24	Jean M. Nader, disbursement	10120	3,000.00
	25		10243	3,000.00/
	26			3,000.00/
	27		104	241.81
	28	1988 Plymouth Van to Anthony O'Connell	√	8,000.00
			- 4	
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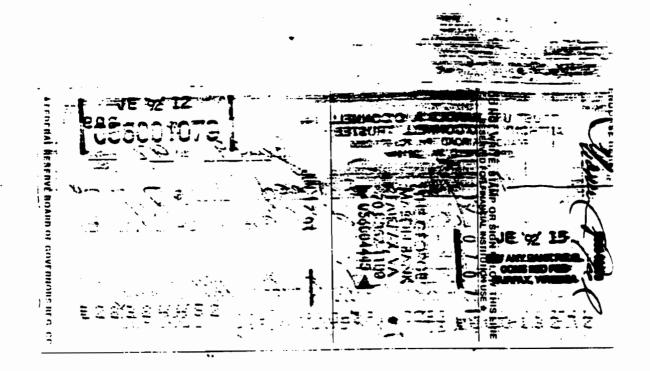
DIFFERENCE

0.00

DATE: Clobe 16, 1892

Edward J. White Co-Executor

Jean M. Nader Co-Executor



	TRUST U/W HAROLD A. O'CONNELL 5-89 ANTHONY M. O'CONNELL, TRUSTEE 6541 FRANCONIA ROAD PH. 703-971-2855 SPRINGFIELD, VA. 22150 TRUST U/W HAROLD A. O'CONNELL 5-89 ANTHONY M. O'CONNELL TRUSTEE 6541 FRANCONIA ROAD PH. 703-971-2855 SPRINGFIELD, VA. 22150	309 69-7787 2560
14 1 14 1	Two Thomas E. Reed s 2 g	200.00
	Continental Federal SAVINGS BANK THE GRAPH STORY Secretary Relief M. Olone	U
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ASSOCIATES SAMUEL L. SHANKS THOMAS E. (TED) REED

THOMAS E. REED

REAL ESTATE APPRAISER - REALTOR

4031 CHAIN BRIDGE ROAD • SUITE 301 FAIRFAX, VIRGINIA 22030

703/591-3739

June 8, 1992



Mr. Anthony O'Connell 6541 Franconia Road Springfield, Virginia 22150

Hoch # 309

Re: Property Owned by Anthony M. O'Connell, Trustee

and Jean M. O'Connell

Fairfax County Tax Map Number 90-4-((1))-17

Appraisal Services......\$2,000.00

--Total due upon receipt --Please make checks payable to

Thomas E. Reed

Thomas E. Reed SS#228-30-3062

1,475.97 - 816.00 = 659.97

Receipts During Period

•	
First Virginia Bank int	399.58
ck Nuveen 11/1/91	66.50
ck WGL 11/1/91	105.00
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EDWARD J. WHITE

ATTORNEY AT LAW

118 SOUTH ROYAL STREET

ALEXANDRIA, VIRGINIA 22314

TELEPHONE 836-5444

April 22, 1992

Mrs. Jean M. Nader 350 Fourth Ave. New Kensington, Pa. 15068

Re: Disbursement

Dear Jean,

Enclosed is an agreement which should satisfy Tony as to the car. It cannot be any clearer.

Also enclosed is a preliminary analysis of the estate tax, which should be close to being accurate. I do need to check with Jo Ann Barnes as to a technical question as to whether or not any of your father's trust comes into this. I do not think it does, but there have been many changes in the law since that trust was established. I will have to ask her to bill us for that advice and any other technical tax matters I am not comfortable with. I can do most of the rest of the tax work and save the estate some money.

The executors' commission shown on the analysis is <u>not</u> figured on the value of the realty; however it does not include the 5% commission on the receipts of the estate in addition to the inventory.

In order to file that return and the subsequent Fiduciary Income tax return we will need an accounting from Tony from the date of his last accounting to the date of death. If he does not want to prepare it, I will not agree to any preliminary disbursal to him at all, and will seek your approval to file suit against him to compel the accounting, plus damages to the estate for his delay. Since that trust terminated on your mother's death, his final accounting is due now and not in October.

There will be no further explanations or written entreaties to him as far as I am concerned. He has the duty and he will perform it under a court order if necessary. Of course he will furnish that receipt.

The preliminary analysis contains three alternatives on Accotink at the bottom for your consideration.

In the event that we do seek a reduction in the assessment Tony will be given written notice that his prompt cooperation is necessary and that if he fails to cooperate that he is aware of the

Page 2 Ltr to Mrs. Jean M. Nader April 27, 1992

adverse consequences to the estate and is responsible for them.

As far as further steps are concerned, we have a lot to do. No gift tax returns were filed for 1989 and 1991 which will have to be done. The results of those gifts are factored in under "Unified Credit used for gifts 9,784".

The paper trail in the court and IRS is as follows:

File Estate tax by June 15, 1992

File First Accounting (16 months after qualification but can be sooner)

Ask for posting of Debts and Demands against the estate.

File Fiduciary Income tax returns for period 9/15/91-9/15/92, due January 1, 1993.

File Motion for a Show Cause why distribution should not be made. Submit Show Cause Order.

Request Executor's exoneration letter from IRS and Virginia.
Obtain closing letter from IRS and Virginia as to estate tax returns.

File 1993 Fiduciary tax returns (Sept. 1992-distribution)

File for Order allowing distribution.

Distribute estate.

File Final Accounting.

Normally distribution is witheld until the Order of Distribution is entered. As I indicated the creditors have one year to press claims against the estate. No prudent executor will distribute before that period, the entry of the Order of Distribution and the receipt of the tax closing letters.

Sincerely

Edward J. White

EJW/e Encl.

5H. NOTES. STOCKS & BONDS

TOTAL DEBTS AND EXPENSES

ck Wash Gas Light Co. 8/1/91	105.00
ck Signet 8/5/91	39.60
ck A. G. Edwards 8/15/91	2,346.63
ck Kemper Mun Bond Fund 4/30/91	162.86
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Lynch Properties note	518,903.26
Travelers Check	20.00
1988 Plymouth Van	8,000.00
Am Funds 5/10/91	326.60
USAA Subscriber savings acct	25.10
SUB TOTAL	830,599.10
	, *
OTHER ASSETS	
1990 Virginia Tax refund	1,605.58
1990 Virginia Tax refund Debt from Harold O'Connell Trust	659.97
1990 Virginia Tax refund	659.97 88.78
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund	659.97
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS	659.97 88.78 2,354.33
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL	659.97 88.78
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600	659.97 88.78 2,354.33
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE	659.97 88.78 2,354.33 40,796.81
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600	659.97 88.78 2,354.33 40,796.81
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest	659.97 88.78 2,354.33 40,796.81
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS	659.97 88.78 2,354.33 40,796.81 323,403.60
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest	659.97 88.78 2,354.33 40,796.81 323,403.60
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS ——————————————————————————————————	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS DEBTS Colonial Emerg Phys (med bill)	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS DEBTS Colonial Emerg Phys (med bill) Fairfax Circ Ct. letters	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84
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1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS DEBTS Colonial Emerg Phys (med bill) Fairfax Circ Ct. letters Jean M. Nader probate tax reimb Sovran Bank Car loan payoff Checks Commissioner of accounts Inventory IRS 1991 1040 return	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84 10.40 14.00 1,269.00 1,364.97 15.89
Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS DEBTS Colonial Emerg Phys (med bill) Fairfax Circ Ct. letters Jean M. Nader probate tax reimb Sovran Bank Car loan payoff Checks Commissioner of accounts Inventory IRS 1991 1040 return Va. Dept Tax 1991 return	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84 10.40 14.00 1,269.00 1,364.97 15.89 61.00 15,332.00 2,856.00
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS DEBTS Colonial Emerg Phys (med bill) Fairfax Circ Ct. letters Jean M. Nader probate tax reimb Sovran Bank Car loan payoff Checks Commissioner of accounts Inventory IRS 1991 1040 return Va. Dept Tax 1991 return Jean M. Nader, bills pd Sheila Ann O'Connell-Shevenell, cem bill	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84 10.40 14.00 1,269.00 1,364.97 15.89 61.00 15,332.00 2,856.00 8,559.00 475.00
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84
1990 Virginia Tax refund Debt from Harold O'Connell Trust Blue Cross refund SUB TOTAL JOINT ASSETS Hallmark Bank #1107849600 REAL ESTATE 15 acres Fairfax Co. Va. 53.9006% interest TOTAL ASSETS DEBTS Colonial Emerg Phys (med bill) Fairfax Circ Ct. letters Jean M. Nader probate tax reimb Sovran Bank Car loan payoff Checks Commissioner of accounts Inventory IRS 1991 1040 return Va. Dept Tax 1991 return Jean M. Nader, bills pd Sheila Ann O'Connell-Shevenell, cem bill	659.97 88.78 2,354.33 40,796.81 323,403.60 1,197,153.84

72,535.46

EDWARD J. WHITE

ATTORNEY AT LAW

118 SOUTH ROYAL STREET

ALEXANDRIA, VIRGINIA 22314

TELEPHONE 836-5444

May 19, 1992

Mr. Anthony M. O'Connell c/o Edgar A. Prichard, Esq. 8280 Greensboro Dr. #900 McLean, Va. 22102

Re: Estate of Jean M. O' Connell

Dear Mr. O'Connell,

In your letter of May 6 to Jean you asked that I communicate with you with regard to the Harold O'Connell Trust.

I am trying to prepare the estate tax, and as usual in these cases, there are problems trying to understand the flow of debts and income.

I do have a few questions which are put forward simply so that the figures on the Trust's tax returns and accounting will agree with the estate's.

- 1. The K-1 filed by the Trust for 1991 showed income to your mother of \$41,446.00. The Seventh Accounting appears to show a disbursement to her of \$40,000.00 plus first half realty taxes paid by the trust for her and thus a disbursal to her of \$1794.89. If these two disbursals are added the sum is \$41,794.89. This leaves \$348.89 which I cannot figure out. It could well be a disbursal of principal and not taxable.
- 2. The K-1 filed by the Trust showed a payment of \$816.00 in interest to the estate. You sent a check in the amount of \$1475.97 to the estate. What was the remaining \$659.97? Do I have this confused with the tax debt/credit situation which ran from the Third Accounting?
- 3. On the Seventh Accounting "Income per 7th Account" is shown as \$5181.71, but I cannot figure that one out either.

I am of the opinion that the estate owes the trust for the second half real estate taxes from September 15, 1991 through December 31, 1991 in the amount of \$1052.35. This is shown on your accounting a disbursed to the heirs. Should this be paid back to the heirs or to the Trust?

I believe that the income received from the savings accounts

Page 2 Ltr to Mr. Anthony M. O'Connell May 19, 1992

from September 15 to the date the various banks made their next payment to the Trust (9/30 and 9/21) should be split on a per diem basis, since the Trust terminated on her death. This will be a small amount of course.

Are there any other debts which your Mother owed the Trust?

I realize that <u>Jo Ann Barnes prepared this</u> and if you authorize it I can ask her to help me out.

Please understand that I have no problem with the Accounting, I m just trying to match things up. In the long run, since the beneficiaries are the same, the matter is academic.

Please send the bill for the appraisal whenever you receive it. Jean is filing the Fairfax form for re-assessment in her capacity as a co-owner in order to give us a better basis to get this assessment changed and to meet the county's deadline. It will state that the appraisal you have ordered will follow. I think this will be to all of your benefit in the long run.

Sincerely,

Edward J. White

EJW/e

Copy to: Jean M. Nader

KELLER BRUNER & COMPANY, P.C.

Certified Public Accountants • Management Consultants

February 12, 1993

Mr. Anthony O'Connell 6541 Franconia Road Springfield, Virginia 22150

Re: Trust u/w of H. A. O'Connell

Dear Mr. O'Connell:

Joanne Barnes has asked me to respond to your letter of January 21, 1993 concerning the differences in the "Total distributions" from the court accounting and the fiduciary return. I will also try to answer the other questions in your letter.

The amount on Page 2, Line 12 of Form 1041 in the amount of \$146,795 is the figure on a workpaper which I previously gave to you (copy attached). Listed below, again in another format, is how that \$146,795 was arrived at:

Mrs. Jean M. O'Connell	
Check #230	\$ 40,000.00
Check #251 (R E taxes)	
(\$3,330 x 53.9006%)	1,794.89
Sheila O'Connell	•
Check #268	20,000.00
Check #276	15,000.00
Jean Nader	
Check #267	20,000.00
Check #277	15,000.00
Anthony O'Connell	
Check #269	20,000.00
Check #278	 15,000.00
Total amount of checks	\$ 146,794.89

700 N. Fairfax Street • Suite 400 • P.O. Box 1250 • Alexandria, Virginia • 22313 (703) 549-7800 FAX (703) 836-5591

Mr. Anthony O'Connell February 12, 1993

Page 2

The \$146,794.89 or \$146,795 was the total amount of cash **distributed** to the beneficiaries or heirs of this trust during the calendar year 1991.

The \$1,794.89 of real estate taxes which you as Trustee paid on behalf of the three heirs (Shelia O'Connell, Jean Nader and Anthony O'Connell) was an obligation owed directly by the three heirs as your mother's interest in this real estate passed directly to each of you at her death. When you received the K-1's for 1991, attached was a schedule for each of you to report 1/3rd of these real estate taxes on your individual income tax returns.

The final point in your letter is in regards how to treat the \$1,475.97 of cash which was paid to your mother's estate in 1992. This is just a cash transfer to cure a cash deficiency as of the date of death and **NOTHING** else. On page 4 of the Seventh Account, your mother owed the Trust at the end of the Sixth Account \$3,705.74 but you had underdistributed \$5,181.71 of cash through her date of death. The \$1,475.97 just completes what was due her. The transfer to her estate has no tax effect for either 1991 or 1992.

I hope that the foregoing has answered your various questions. I am also returning to you, the letter which you sent with your letter of January 21, 1993. I have made a copy of it for our files.

Very truly yours,

KELLER BRUNER & COMPANY, P.C.

Fórest N. Balderson

FNB/hoc Enclosures



Commissioner of Accounts Office

Circuit Court of Fairfax County

Fair Oaks Plaza Suite 500 11350 Random Hills Road Fairfax, Virginia 22030 Telephone (703) 385-0268



Peter A. Arntson
Deputy Commissioner of Accounts

August 8, 2000

Mr. Anthony M. O'Connell 216 Governors Lane Apt. #12 Harrisonburg, Virginia 22801

> RE: Harold A. O'Connell Trust; Fiduciary No. 21840

Dear Mr. O'Connell:

Accounting entanglements

The accounting trail 1,475.97 - 816.00 = 659.97 is the simplest example of an accounting entanglement. An accounting entanglement is used as a wedge and takeover tool and as cover. Whoever controls the accounting entanglements controls the people and assets that are entangled. Small amounts are used to make them appear insignificant. They are ubiquitous; all seven notes at Bk467p193-p194 describe what are actually accounting entanglements; all but note six are made to appear as if the family created them.

Enclosed please find a copy of my report approving your 11th account as trustee in the above matter as your Final Account. As you will see from the report, it appears to me from the information you have provided that the \$659.97 debt you report is not a trust asset. Even if the debt existed as you suggest, it's collectability would be so problematic and uncertain, and the effort so costly, as to render it worthless and make reasonable a decision for it to be abandoned as an asset. It certainly should not be the basis for keeping this trust estate open and requiring the filing of annual accounts indefinitely.

In the event that the trustee is successful in recovering \$659.97 or any other funds which are proper trust assets to be accounted for, such may be reported to the Commissioner of Accounts by an Amended Inventory and, thereafter, accounted for by proper accounts.

If you disagree with this action by me, you may file exceptions with the Court within fifteen (15) days of the filing of my report and take the matter up directly with the Court.

Very truly yours,

Jesse B. Wilson, III
Commissioner of Accounts