

# LAST WILL AND TESTAMENT

2014000241

OF

ALICE C. WEYER

I, Alice C. Weyer, now residing at 5734 Green Acres Court, Cincinnati, Ohio 45248 in Green Township, Hamilton County, Ohio, being of full age and of sound mind and memory, do make, publish, and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils by me heretofore made.

**ITEM I.** All the property, real and personal, of every kind and description, wheresoever situate, which I may own or have the right to dispose of at the time of my decease, I give, devise, and bequeath, absolutely and in fee simple, in shares of substantially equal value, to my nieces and nephews: Constance J. Bonvell, Kathleen M. Feie, Suzanne E. Mahon, Wayne R. Wauligman, June A. Porter, Janet A. Arand, Joan A. Brill, Glenn R. Wauligman, David L. Weyer, Gerald R. Weyer, Kenneth B. Weyer, Jeffrey J. Weyer, Robert D. Weyer, Cynthia A. Wuerker, and Terrence L. Richards. See addendum for current addresses.

(A) For the purpose of this provision, cash on hand or on deposit shall not be sold by my Executor and the proceeds thereof shall be distributed as part of the residue of my Estate.

(B) If I should die owning residential real estate, it is my desire, which is precatory and not binding on the Executor, that the Executor attempt to sell the real estate, pursuant to the power of sale set forth in this Will, as soon after my death as is reasonably practicable.

**ITEM II.** In the event that any of my nieces or nephews should predecease me, I give, devise, and bequeath the share, to which he or she would have been entitled, to his or her living lineal descendants, per stirpes, in fee simple.

(A) Lineal descendants per stirpes shall be interpreted to mean that, should any of my beneficiaries predecease me leaving child or children surviving me, then such surviving child or children shall take the share of the deceased parent as if the deceased parent would have survived me.

(B) "Children" and "lineal descendants" shall mean both children by blood and children by adoption.

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(C) The share of Terrence L. Richards ends upon his death and thus specifically excludes daughter Megan M. Van Matre and all his lineal descendants.

(D) The share of Kenneth B. Weyer ends upon his death and thus excludes any lineal descendants.

(E) In the case of the aforementioned exclusions, the share to which the respective nephew would have been entitled shall be distributed among my surviving nieces and nephews or their respective lineal descendants, per stirpes.

(F) In the event any of the beneficiaries of the residue of my estate are minors at the time of distribution, their respective guardian or custodian may receipt for his or her share.

**ITEM III** In the event that any of my nieces or nephews should predecease me leaving no lineal descendants living, then the share to which he or she would have been entitled I give, devise, and bequeath to his or her surviving spouse per stirpes, in fee simple.

(A) The share of Terrence L. Richards ends upon his death and thus excludes his surviving spouse, if any.

(B) The share of Kenneth B. Weyer ends upon his death and thus excludes his surviving spouse, if any.

(C) The share of Jeffrey J. Weyer excludes his surviving spouse, if any.

(D) In the case of the aforementioned exclusions, the share to which the respective nephew would have been entitled shall be distributed among my surviving nieces and nephews or their respective lineal descendants or surviving spouse, per stirpes.

**ITEM IV** In the event that any of my nieces or nephews should predecease me leaving no lineal descendants living and no surviving spouse, then the share to which he or she would have been entitled shall be distributed among my surviving nieces and nephews or, if predeceased, their respective lineal descendants or surviving spouse, per stirpes, in fee simple.

**ITEM V** I hereby nominate, designate, and appoint Kathleen M. Feie as Executor of this, my Last Will and Testament. In the event, however, of the incapacity of the said Kathleen M. Feie or her refusal to act as my Executor, or having qualified, fail to complete the administration of my estate, then I nominate, designate, and appoint in the order named one of the following to act

as my Executor and direct that no bond or surety be required of either of these named as Executor: (1) Vivian F. Swegman, (2) Glenn R. Wauligman.

The use of the word Executor or the neuter pronoun when used in reference to a fiduciary shall include the feminine or masculine as the context may require.

I hereby grant to my Executor the continuing, absolute discretionary power to deal with any property, real or personal, held in my Estate or any Trust, as freely as I might in the handling of my own affairs. Such power may be exercised independently and without the prior or subsequent approval of any court or judicial authority, and no persons dealing with the Executor shall be required to inquire into the propriety of any of the Executor's actions. Without in any way limiting the generality of the foregoing, I hereby grant to my Executor the following specific powers and authority in addition to and not in substitution of powers conferred by law:

(A) To pay all my just debts and funeral expenses as soon as practicable after the time of my decease;

(B) To compromise, settle, or adjust any claim or demand by or against my Estate or any Trust and to agree to any rescission or modification of any contract or agreement;

(C) To retain any security or other property owned by me at the time of my death, so long as such retention appears advisable; to exchange any such security or property for other securities or properties and to retain such items received in exchange;

(D) To sell, exchange, assign, transfer, and convey any security or property, real or personal, held in my Estate or in any Trust fund, at public or private sale, at such time and price and upon such terms and conditions as he or she may determine; no purchaser or purchasers from my Executor need see to the application of the purchase money, but the receipt of my Executor therefor shall be a complete acquittance and discharge;

(E) To invest and reinvest in such stocks, bonds, and other securities and properties, real, personal or mixed, and wheresoever situated as he or she may deem advisable without being restricted in any way by any statute or court decision regulating or limiting investments by fiduciaries;

(F) To borrow money upon such terms and conditions as he or she may determine and to mortgage and pledge Estate assets as security for the repayment thereof;

(G) To distribute income and/or principal either directly to the beneficiaries or for their benefit;

(H) To register and carry any property in his or her own name or in the name of his or her nominee or to hold it unregistered, but without thereby increasing or decreasing his or her liability as fiduciary;

(I) Any successor Executor or Trustee at any time acting hereunder shall have the same powers, authorities and discretions as though named originally in this Will;

(J) To make any and all elections that may be available to my Estate and to exercise or to forego any such elections without court order or other legal formality, and my Executor shall not be liable to any person by reason of carrying out these provisions.

IN WITNESS WHEREOF, I have hereunto set my hand this 18<sup>th</sup> day of Nov. 2012.

Alice C. Weyer  
Alice C. Weyer

Signed by Alice C. Weyer, and by her acknowledged to be her Last Will and Testament, in our presence, sight and hearing, who at her request have hereunto subscribed our names as witnesses, in her presence and in the presence of each other.

Walter Bonnell of 10379 Vicksburg Ln, Independence, Ky  
Raymond W. Sweeney of 5138 Gramercy Ct. Cincinnati, Ohio

## ADDENDUM

David L. Weyer  
3143 Stanwood Lane  
Lafayette CA 94549

Wayne R. Wauligman  
2170 Quail Run Farm Lane  
Cincinnati OH 45233-4463

Constance J. Bonvell  
10379 Vicksburg Lane  
Independence KY 41051

Gerald R. Weyer  
1425 Haverhill Drive  
Trinity FL 34655-4237

June A. Porter  
3053 Fiddlers Ridge Drive  
Cincinnati OH 45248

Kathleen M. Feie  
3790 Deerpath Lane  
Cincinnati OH 45248

Kenneth B. Weyer  
7100 Ulmerton Road  
Largo FL 33771

Janet A. Arand  
722 Miami View Ct  
Loveland OH 45140

Suzanne E. Mahon  
3906 Meyerfeld Ave.  
Cincinnati OH 45211

Jeffrey J. Weyer  
463 Dartmouth Circle  
Cincinnati OH 45244

Joan A. Brill  
9322 Gregg Drive  
West Chester OH 45069

Terrence L. Richards  
3095 E. Hester Street  
Inverness, Florida 34453

Cynthia A. Wuerker  
12402 Scherer Woods Ct  
Tomball, TX 77377

Glenn R. Wauligman  
3115 Apple Orchard Lane  
Cincinnati OH 45248

Robert D. Weyer  
5812 Shetland Drive NW  
Rochester MN 55901