2008-2764

LAST WILL AND TESTAMENT
OF
FRANCES MARGARET SACHAR

I, **FRANCES MARGARET SACHAR**, presently residing in the the County of Westchester and the State of New York, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all Wills and/or Codicils heretofore made by me.

FIRST: I direct that all of my unsecured enforceable debts, the expenses of my funeral and of my last illness and the administration expenses of my estate be paid as soon after my death as may be practicable, and I direct that all inheritance, legacy, succession or estate duties or taxes, or penalties or interest thereon (other than any tax upon a generation skipping transfer as defined in the Internal Revenue Code or any estate tax imposed as a result of Section 2041 or Section 2044 of the Internal Revenue Code of 1986 or corresponding provision in effect at my death and any state counterpart) which shall be payable in respect of any property or interest passing under my Will or outside of my Will and required to be included in my gross taxable estate, or in respect of any transfer lawfully taxable that I may have made, shall be paid out of the principal of my residuary estate as an administration expense and shall not be apportioned or allocated against any person interested in my estate.

SECOND:

A. I give, devise and bequeath my two (2) First Union Certificate of Deposits as follows: one to **JEAN MARIE BUTTINELLI**, of 56 Dalton Road, Yonkers, New York 10701 and the second to be equally divided between **JOHN BUTTINELLI**, of 27 [illegible]he Street, Yonkers, New York, **FREDRIC BUTTINELLI**, of 56 Sneden Place, [illegible]g Valley, New York, **ROBERT BUTTINELLI**, of 156 Chase Avenue, Yonkers, New York 10703 and **MICHELLE BUTTINELLI**, of 17 Division Street, Hastings-on-Hudson, New York 10706.

B. I give, devise and bequeath the proceeds from my Sun America Annuity to be divided equally among **JOSEPHINE SACHAR** of 278 Cana Circle, Nashville, Tennessee 37205, **JEAN MARIE BUTTINELLI, FREDRIC BUTTINELLI, ROBERT BUTTINELLI** and **JOHN BUTTINELLI.**

BILL GARRETT, Davidson County
Trans:T20090037980 WILL
Recvd: 06/08/09 12:11 7 pgs
Fees:37.00 Taxes:0.00
20090608-0052943

THIRD: I appoint **MICHAEL FIGLIO, JR.** of 212 Forrest Valley Circle, Nashville, Tennessee 37209 to serve as Executor of my two-thirds interest in a condo located at 278 Cana Circle, Nashville, Tennessee (the other one-third interest belongs to **JOSEPHINE SACHAR**). I direct that upon my death, he sell the condo, with the consent of the then other one-third owner, and give, devise and bequeath my share of the net proceeds in equal portions to **JEAN MARIE BUTTINELLI, FREDRIC BUTTINELLI, ROBERT BUTTINELLI, JOHN BUTTINELLI** and **MICHAEL FIGLIO, JR.** In the event that I predecease **JOSEPHINE SACHAR**, she will have a life interest in the condo and may continue to live there until her death at which time the condo, with the consent of the **ESTATE OF JOSEPHINE SACHAR**, will be sold and my share of the net proceeds shall be distributed as provided herein. I further direct that no fees are to be paid to **MICHAEL FIGLIO, JR.** for his services as Executor in Tennessee.

FOURTH: In the event that any of my beneficiaries named above shall predecease me, then I direct that my bequest to the deceased revert back to my resideual estate.

FIFTH: All of the rest, residue and remainder of my estate, both real and personal and wheresoever situated, of which I may die seized or possessed or to which I may be entitled at the time of my death, I give, devise and bequeath in equal shares to **JEAN MARIE BUTTINELLI, FREDRIC BUTTINELLI, ROBERT BUTTINELLI** and **JOHN BUTTINELLI.**

SIXTH: I hereby nominate, constitute and appoint **JEAN MARIE BUTTINELLI** as Executor of this my Will. If **JEAN MARIE BUTTINELLI** shall predecease me, fail to qualify or having qualified shall thereafter cease to act for any reason, I hereby nominate, constitute and appoint **JOHN BUTTINELLI** as Executor. I direct that my Executor or any alternate or successor shall not be required to furnish any bond or other security for the faithful performance of his or her duties in any jurisdiction.

SEVENTH: In addition to every power and discretion conferred upon my Executors by any other provision of this my Will, my Executors shall have all the usual powers conferred by law upon Executors, in every jurisdiction in which my Executors may act, including all the powers conferred by Section 11-1.1 of the Estates, Powers and Trusts Law of the State of New York.

EIGHTH: In the event that any beneficiary and I shall die under such circumstances that there is not sufficient evidence to determine the order of our deaths, then it shall be presumed that the beneficiary did not survive me, and my estate shall be administered and distributed, in all respects, in accordance with such presumption.

NINTH: As used herein, the masculine or feminine gender shall include the other and the singular or plural shall include the other wherever appropriate in the context.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 19th day of January, 2002.

Frances Margaret Sachar
FRANCES MARGARET SACHAR

WITNESSES:

John F. Tague

Jamie Marie Alaggy

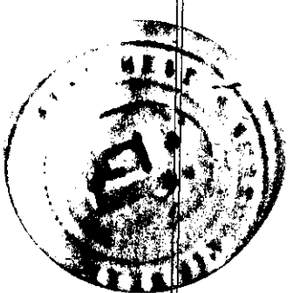
The foregoing instrument, consisting of this and three (3) pages, each identified by the initials or signature of the Testator was signed, published and declared by the above-named Testator, **FRANCES MARGARET SACHAR**, as and for her Last Will and Testament in the presence of both of us, who were present at the same time, and who, in her presence, at her request, and in the presence of each other, have hereunto subscribed our names as witnesses this19th day of January, 2002 at Bronxville, New York, this attestation clause having first been read aloud.

John F. Tagan IV residing at 100 Marquand Ave

Bronxville, New York 10708

Jamie Marie Abruzzo residing at 1 Stoneleigh Plaza Apt 3K

Bronxville, NY 10708



STATE OF NEW YORK)
) ss:
COUNTY OF WESTCHESTER)

John F. Tague III residing at 100 Marguand Ave Bronxville, NY and

Jamie M. Abazzo residing at 1 Stoneleigh Plaza Apt 3K Bronxville NY

each being duly sworn, depose and say:

That they witnessed the execution of the Will of **FRANCES MARGARET SACHAR** dated January 19, 2002 consisting of four (4) pages. That the Will was executed at Bronxville, New York under the supervision of **CYNTHIA V. TAGUE**, an attorney at law with the law firm of Tague & Vanden Heuvel LLP with offices located at Two Park Place, Suite One, Bronxville, New York. That this affidavit is made at the request of the Testator.

That the Testator in our presence subscribed her name to the Will at the end thereof, and at the time of making such subscription, published and declared the same to be her Last Will and Testament; thereupon we, at her request and in her presence and in the presence of each other, signed our names thereto as subscribing witnesses.

That the Testator at the time of such execution was more than 18 years of age and, in our opinion, of sound mind, memory and understanding, not under restraint or in any respect incompetent to make a Will.

That the Testator indicated to us that she had read the Will, knew the contents thereof, and that the provisions therein contained expressed the manner in which she desired her estate to be administered and distributed.

That the Testator could read, write and converse in the English language, and was suffering from no defect of sight, hearing or speech, or from any physical or mental impairment which would affect her capacity to make a valid Will.

That the Testator signed only one copy of the Will on said occasion.

John F. Tague III

Jamie Marie Abazzo

Sworn to before me this 19th day of January, 2002.

Notary Public

NOTARY PUBLIC, STATE OF NEW YORK
NO. 01 - 4814261
QUALIFIED IN WESTCHESTER COUNTY
MY COMMISSION EXPIRES 8/3/05



FILED
SURROGATE'S COURT
NOV 25 2008
WESTCHESTER COUNTY
ADM. CLERK

Control# 1636
File Name: Frances Margaret Sachar
File# 2008-2764

Certification of Copy of Document Filed with the Court

SURROGATE'S COURT OF THE STATE OF NEW YORK
WESTCHESTER COUNTY

I, Charles T Scott, Esq. , Chief Clerk, of the Westchester County Surrogate's Court, a Court of Record, in the Unified Court System of the State of New York, hereby certify that the copy of the following document:

LAST WILL AND TESTAMENT

is a true copy of the original document filed with or recorded in this Court and is a part of the case record maintained by the Court, the same being either a:

(1) photographic reproduction of the original document reproduced on an office copier,
(2) printed copy of the electronically scanned document stored in the court's computer system, or
(3) printed reproduction of original document photocopied on microfilm.

In addition, I certify that the attached document is a correct transcript of the entire contents of the original document that was so filed or recorded.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Westchester Surrogate's Court on April 8, 2009.



Charles T Scott, Esq. , Chief Clerk

(Facsimile signature may be used pursuant to Section 2609 of the Surrogate's Court Procedure Act)