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15P858

LAST WILL AND TESTAMENT

OF

WILLIAM P. WINSTEAD, III

FILED
MAY 27 2015
CLERK

I, William P. Winstead, III, a resident of Madison County, Indiana, do make, publish and declare this to be my Last Will and Testament and hereby revoke any and all other Wills and Codicils heretofore made by me.

ITEM I

I direct that my just debts, including those of my last illness and burial and the costs of administering my estate, be first paid. I further direct that all taxes of any nature, payable by reason of my death, which may be assessed or imposed upon or with respect to property passing under this Will or otherwise, shall be paid out of my residuary estate as an expense of administration, and that no part of such taxes shall be apportioned, prorated or reimbursed to my estate by any legatee, devisee, co-owner or beneficiary.

ITEM II

If my wife, Robin M. Winstead fails to survive, then Brittaney N. Hanna shall have three months from the date of appointment of Personal Representative to advise the Personal Representative if she intends to continue to reside in the real estate at 208 East 34th Street, Anderson, Madison County, Indiana. If so, the house shall be distributed to her subject to any existing debt. If not, I direct my Personal Representative to sell the real estate

and distribute the proceeds as part of the rest, residue and remainder of my estate pursuant to ITEM V.

ITEM III

I may leave a memorandum listing items as to which I have specific wishes. I direct that my wishes as set forth in the memorandum be observed. To be legally effective, I understand that any such memorandum or list hereafter made by me should be dated, must describe the items and beneficiaries with reasonable certainty, and be signed by me. I also understand that my wishes must be clearly stated and that any such memorandum or list will be legally effective only as to items of my tangible personal property that are not being used in a trade or business at the time of my death. I further understand that no such memorandum or list will be legally effective as to items of intangible personal property (such as, but not limited to, cash/monetary gifts, bank accounts, stocks and bonds), or as to real estate even if clearly described therein. To the extent that the provisions of any such legally effective memorandum or list conflict with the provisions of ITEM IV, the provisions of the memorandum or list shall control. If any beneficiary named in such memorandum or list shall predecease me or (if any entity) is not in existence at the time of my death, the gift(s) specified therein for that beneficiary shall be deemed to have lapsed.

ITEM IV

I give and bequeath to my wife, Robin M. Winstead, ("Wife") all household goods and furniture, motor vehicles and other items of tangible personal property which I may own at the time of my death. If my Wife fails to survive me, I give and bequeath all such tangible personal property to Wendy J. Miller, William P. Winstead, IV, Brittney N. Hanna, Jamela R. Winstead, Jun L. Winstead and Tara R. Winstead evenly by agreement, with the issue, if any, taking per stirpes. I direct my Personal Representative to sell all remaining tangible personal property and distribute the proceeds as part of the rest, residue and remainder of my estate pursuant to ITEM V.

ITEM V

I give, bequeath and devise the rest, residue and remainder of my property and estate to my Wife. If my Wife fails to survive me, I give, bequeath and devise all the rest, residue and remainder of my property and estate, of whatsoever nature and wheresoever located, whether tangible or intangible, to Wendy J. Miller, William P. Winstead, IV, Brittney N. Hanna, Jamela R. Winstead, Jun L. Winstead and Tara R. Winstead, in equal shares, with the issue, if any, taking per stirpes.

ITEM VI

I hereby constitute and appoint Robin M. Winstead as Personal Representative of this my Last Will and Testament. In the event Robin M. Winstead is unable or unwilling to serve as Personal Representative of my estate, for any reason, then, and in her stead, I constitute and appoint Tony Miller as Personal Representative of this my Last Will and Testament. It is my will that my Personal Representative be permitted to serve without bond, if possible, and if not possible that such bond be fixed at the lowest amount possible. I hereby give and grant to my Personal Representative full power and authority to settle and administer my estate without court supervision and without obtaining any authorizing consents. I hereby give to my Personal Representative full power granted Personal Representatives by IC 29-1-7.5-3 and its successors and all other powers granted Personal Representatives by Indiana law.

IN WITNESS WHEREOF, I have hereunto set my hand this 2ND day of July, 2013

William P. Winstead, III

The foregoing instrument including this attestation clause was, on the day and year last-above written, subscribed at the end thereof by William P. Winstead, III, the above named Testator, and by him signed, published and declared to be his Last Will and Testament, in the presence of each of us, who thereupon at his request, in his presence and in the presence of each other, have hereunto subscribed our names as attesting witnesses thereto.

Witness

Witness

UNDER PENALTIES FOR PERJURY, We, the undersigned Testator and the undersigned witnesses, respectively, whose names are signed to the attached or foregoing instrument declare:

(1) that the Testator executed the instrument as his will;

(2) that, in the presence of the witnesses, the Testator signed or acknowledged his signature already made or directed another to sign for him in his presence;

(3) that he executed the will as his free and voluntary act for the purposes expressed in it;

(4) that each of the witnesses, in the presence of the Testator and of each other, signed the will as witness;

(5) that the Testator was of sound mind; and

(6) that to the best of their knowledge the Testator was at the time eighteen (18) or more years of age.

Date: July 2, 2013.

Testator

Witness

Witness

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of LAST WILL & TESTAMENT heretofore assigned to Seventh Circuit Court (Probate Division) for Davidson County, Tennessee, Case No. 15P858.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 27TH day of MAY in the year Two Thousand and FIFTEEN.

RICHARD R. ROOKER, Clerk

By: _____
Deputy Clerk

