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LAST WILL AND TESTAMENT

OF

ARCHIE T. GRANT, JR.

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Synopsis of Last Will and Testament of Archie T. Grant, Jr.

This abbreviated summary is for convenience only and should not be relied upon in interpreting the Will. The Will contains other significant provisions not described in this summary.

Article 1 (*Family*) identifies family members and references.

Article 2 (*Distribution of My Estate*) gives tangible personal property as specified in a separate writing, makes specific gifts of real property, gives all your remaining tangible personal property, including furniture, household furnishings, motor vehicles, clothing, jewelry, and personal effects to those of your children who survive you, and distributes your remaining estate as follows. You make specific gifts of real property to your children and your remaining estate is given, 20% to your daughter, Karen Lynne Handley, 50% to your son, Archie Thomas Grant III and 30% to your son, Gary Lee Grant.

Article 3 (*Standby Trust*) creates a standby trust for any amounts that might be distributable to a beneficiary other than your wife who is under age 25 or whom the Trustees deem to be incapable of handling his or her affairs.

Article 4 (*Appointment of Personal Representative*) names Karen Lynne Handley as your Personal Representative and Trustee and provides for alternates. No Personal Representative is required to post bond.

Article 5 (*Survival Provisions*) a beneficiary is required to survive by 90 days to receive his or her devise.

Article 6 (*Protection of Interests*) protects beneficiaries from creditors and prevents them from selling their interest in the trust. (Many state laws provide exceptions for taxes, alimony, and child support.)

Article 7 (*Payments of Expenses and Taxes*) directs payment of debts and expenses in the discretion of your Personal Representative and directs payment of taxes from your Residuary Estate, without apportionment.

Article 8 (*Fiduciary Powers*) grants broad powers to the Personal Representative to facilitate administration of your estate.

Article 9 (*Miscellaneous Provisions*) includes definitions and other miscellaneous provisions.

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LAST WILL AND TESTAMENT

OF

ARCHIE T. GRANT, JR.

I, ARCHIE T. GRANT, JR., a resident of Lee County, Florida, revoke all prior Wills and publish the following as my Last Will and Testament.

ARTICLE 1
FAMILY

I am a citizen of the United States. I have three children, KAREN LYNNE HANDLEY, ARCHIE THOMAS GRANT III and GARY LEE GRANT. References to "my children" mean my children named above; references to "my descendants" mean my children and their descendants.

ARTICLE 2
DISTRIBUTION OF MY ESTATE

After making provision for the payments under Article 7, my Personal Representative shall distribute my remaining estate as follows:

2.1 Specific Gifts. I make the following specific gifts:

(a) Separate List for Tangible Personal Property. I may make gifts of tangible personal property by means of one or more separate written lists. To be effective, a separate list must be signed by me, and must identify the items and persons to receive them with reasonable certainty. If there is a conflict, I confirm the gift of that item made in the most recent list. My Personal Representative will not be bound by any written list produced or discovered more than two months after my death.

(b) Specific Gifts of Tangible Personal Property. I give all my remaining tangible personal property not given by other provisions of this article, including furniture, household furnishings, motor vehicles, clothing, jewelry, and personal effects (together with all insurance on those items), to my wife if she survives me. If she does not survive me, I give all of those items, together with all insurance on them, to those of my children who survive me, in shares as nearly equal in value as is reasonably practical.

(c) Specific Gifts of Real Property. I give the following gifts of real property:

(i) To my daughter, KAREN LYNNE HANDLEY, if she survives me, any interest in real property owned by me at the time of my death located on Gasparilla Island, Florida, together with all furniture, furnishings, and fixtures in or on

that real property and all policies of insurance relating to them and to the property.

(ii) To my son, ARCHIE THOMAS GRANT III, if he survives me, any interest in real property owned by me at the time of my death located in Tennessee, together with all furniture, furnishings, and fixtures in or on that real property and all policies of insurance relating to them and to the property.

(iii) To my son, GARY LEE GRANT, if he survives me, any interest in real property owned by me at the time of my death located in North Carolina, together with all furniture, furnishings, and fixtures in or on that real property and all policies of insurance relating to them and to the property.

If any of my aforesaid children do not survive me, the above bequests of real property to a deceased child shall instead be distributed per stirpes to his or her then living descendants, or if none, then per stirpes to my then living descendants, subject to Article 3.

2.2 Residuary Estate. I give all my Residuary Estate as follows:

(a) Twenty Percent (20%) to my daughter, KAREN LYNNE HANDLEY;

(b) Fifty Percent (50%) to my son, ARCHIE THOMAS GRANT III; and

(c) Thirty Percent (30%) to my son, GARY LEE GRANT.

If any of my aforesaid children do not survive me, the above bequests to a deceased child shall instead be distributed per stirpes to his or her then living descendants, or if none, then per stirpes to my then living descendants, subject to Article 3.

ARTICLE 3
STANDBY TRUST

If any assets are distributable under this Will to a person who has not then reached age 25, or who in the judgment of the Trustees is under a disability, the Trustees will hold that person's share in trust for his or her benefit. In determining a person's disability, the Trustees may rely conclusively upon the opinion of a medical doctor retained by them to make such a determination. The Trustees may apply so much of the income and principal of this separate trust that they consider necessary or desirable for the person's health, education, support, and maintenance. Any undistributed income is to be added to principal periodically. Alternatively, the Trustees may distribute that person's share directly to that person whether or not he or she has a guardian; to the parent or guardian or spouse of that person; to a custodial account established for that person (by the Trustees or someone else) under an applicable Uniform Transfers to Minors Act or Uniform Gifts to Minors Act; or to any adult who resides in the household in which that person resides or who may otherwise be responsible for the care and well-being of that person. When the person reaches age 25 or when that person's disability, in the judgment of

the Trustees, ceases to exist, the Trustees shall distribute the remaining assets of this separate trust to that person. If that person dies before complete distribution of this separate trust, the remaining trust assets are to be distributed, subject to this article:

(a) to that person's then living descendants, per stirpes; or if none,

(b) to the then living descendants, per stirpes, of that person's closest ancestor in degree who is also a descendant of mine; or if none,

(c) to my then living descendants, per stirpes.

This article is to be effective only and is limited in duration to the extent that it does not result in any violation of any applicable rule against perpetuities or similar law.

ARTICLE 4
APPOINTMENT OF PERSONAL REPRESENTATIVE

I appoint my daughter, KAREN LYNNE HANDLEY, as my Personal Representative and as Trustee of any trust created under this Will. If she fails or ceases to serve, I appoint my sons, ARCHIE THOMAS GRANT III and GARY LEE GRANT, to serve as co-Personal Representatives or co-Trustees, as the case may be. If either of my sons fails or ceases to serve, the other of them shall serve alone as Personal Representative or Trustee. A Personal Representative will be entitled to reasonable compensation. I direct that no Personal Representative be required to post bond or other security.

ARTICLE 5
SURVIVAL PROVISIONS

If any beneficiary is required to survive me or another person to receive a distribution, and if the beneficiary does not survive me or that other person by 90 days, or if that beneficiary cannot be located within one year after the admission of this Will to probate despite reasonable attempts by my Personal Representative to locate that beneficiary, the beneficiary will be treated as if he or she died before me or that other person.

ARTICLE 6
PROTECTION OF INTERESTS

The interest of any beneficiary under this Will, in either income or principal, may not be anticipated, alienated, or in any other manner assigned by the beneficiary and will not be subject to any legal process, bankruptcy proceedings, or the interference or control of the beneficiary's creditors or others.

ARTICLE 7
PAYMENTS OF EXPENSES AND TAXES

My Personal Representative is authorized in its discretion to use the principal and income of my estate as it deems necessary or advisable for the payment of any legally enforceable

obligations, costs of my last illness and funeral, and any estate transmission and management expenses incurred in the administration of my estate. My Personal Representative shall pay all estate taxes from my Residuary Estate, without apportionment. If any funds become available to the trustees of any trust, including without limit, life insurance, qualified employee benefit plans, individual retirement accounts, or other property from sources specified in Section 2039 of the Internal Revenue Code, and those funds are not otherwise included in my gross estate for federal estate tax purposes, then none of those funds may be used to pay, directly or indirectly, any debts, taxes, or expenses of mine or my estate.

ARTICLE 8
FIDUCIARY POWERS

I grant to my Personal Representative full power to deal freely with any property in my estate, as specifically enumerated in Sections 733.601-619 of the Florida Statutes. The Personal Representative may exercise these powers, including the power to sell any real or personal property at public or private sale, independently and without the approval of any court. No person dealing with the Personal Representative need inquire into the propriety of any of its actions or into the application of any funds or assets. The Personal Representative shall, however, exercise all powers in a fiduciary capacity for the best interest of the beneficiaries of my estate.

ARTICLE 9
MISCELLANEOUS PROVISIONS

9.1 Definitions. As used in this Will, the following terms have the meanings set forth below:

(a) Fiduciaries.

(1) The term **Trustees** refers to my Personal Representative, acting as trustee for any trust created in this Will. When serving as Trustee, my Personal Representative will have all the powers granted to trustees under Florida law, as well as the powers specified in this Will.

(b) Internal Revenue Code Terms.

(1) **Internal Revenue Code** means the federal Internal Revenue Code of 1986, as amended from time to time, or successor provisions of future federal internal revenue laws.

(2) The terms **health, education, support, and maintenance** are intended to set forth an "ascertainable standard," as described in the Internal Revenue Code and its associated Regulations. To the extent not inconsistent with the foregoing, "health" means a beneficiary's physical and mental health, including but not limited to payments for examinations, surgical, dental, or other treatment, medication, counseling, hospitalization, and health insurance

premiums; "education" means elementary, secondary, post-secondary, graduate, or professional schooling in an accredited institution, public or private, or attendance at other formal programs in furtherance of the beneficiary's spiritual, athletic, or artistic education, including but not limited to payments for tuition, books, fees, assessments, equipment, tutoring, transportation, and reasonable living expenses.

(c) Other Terms.

(1) **Residuary Estate** means my estate left after paying all pre-residuary gifts in this Will and all expenses and charges (other than estate taxes).

(2) **Qualified Beneficiary** means a living beneficiary who, on the date his or her qualification is determined: (i) is a distributee or permissible distributee (a "distributee") of trust income or principal; (ii) would be a distributee if the interests of the distributees described in (i) above terminated on that date without causing the trust to terminate; or (iii) would be a distributee if the trust terminated in accordance with its terms on that date.

(3) An individual who is the genetic child of parents who were not married to each other at his or her birth will be deemed not to be **a descendant** of his or her father unless the father (i) is married to that individual's mother at any time during the period starting at that individual's conception and ending at his or her birth, (ii) marries that individual's mother after that individual's birth, (iii) adopts the individual at any time, or (iv) acknowledges his paternity of the individual in a signed instrument filed with any court or governmental agency or delivered to a Fiduciary during that father's lifetime.

(4) Distributions that are to be made to a person's **descendants, per stirpes**, will be divided into equal shares, so that there will be one share for each living child (if any) of that person and one share for each deceased child who has then living descendants. The share of each deceased child will be further divided among his or her descendants on a per stirpes basis, by reapplying the preceding rule to that deceased child and his or her descendants as many times as necessary.

(5) **Disabled** or **under a disability** means (i) being under the legal age of majority, (ii) having been adjudicated to be incapacitated, or (iii) being unable to manage properly personal or financial affairs because of a mental or physical impairment (whether temporary or permanent in nature). A written certificate executed by an individual's attending physician confirming that person's impairment will be sufficient evidence of disability under item (iii) above, and all persons may rely conclusively on such a certificate.

9.2 Lapsed Gifts. If any gift is conditioned on the recipient surviving me or another person and no alternative disposition of that gift is specified, the gift will lapse and become part of my Residuary Estate if the designated recipient does not survive.

9.3 Coordination With Guardian. If a separate trust is created for a beneficiary who is under a legal disability, I request the Trustees to consult with the guardian of the person for that beneficiary, or if none, the person having custody of the beneficiary, and to

- establish a reasonable budget to provide for the needs of the beneficiary;
- conduct a financial analysis of the beneficiary's needs and determine the amounts reasonably required for his or her care; and
- implement procedures for disbursing funds to the guardian for those purposes.

The Trustees are authorized to make distributions that provide some incidental or indirect benefit to the beneficiary's guardian, but only if the expenditure is for the primary benefit and needs of the beneficiary.

9.4 Adopted Children. A legally adopted child (and any descendants of that child) will be regarded as a descendant of the adopting parent only if the petition for adoption was filed with the court before the child's thirteenth birthday.

9.5 Infant in Gestation. For all purposes of this Will, an infant in gestation who is later born alive will be deemed to be in being during the period of gestation for the purpose of qualifying the infant, after it is born, as a beneficiary of my estate.

9.6 Applicable Law. All matters involving the validity and interpretation of this Will are to be governed by Florida law. Subject to the provisions of this Will, all matters involving the administration of a trust are to be governed by the laws of the jurisdiction in which the trust has its principal place of administration.

9.7 Gender and Number. Reference in this Will to any gender includes either masculine or feminine, as appropriate, and reference to any number includes both singular and plural where the context permits or requires.

9.8 Headings. Use of descriptive titles for articles and paragraphs is for the purpose of convenience only and is not intended to restrict the application of those provisions.

Executed at Fort Myers, Florida, on December 23, 2014.

Archie T. Grant, Jr. Archie T. Grant Jr.

This instrument was signed, sealed, published, and declared by the testator as his Last Will and Testament in our joint presence, and at his request we have signed our names as attesting witnesses in his presence and in the presence of each other on the date first written above.

Name	Address
Ernest H. Hatch, Jr.	1715 Monroe Street Fort Myers, FL 33901
Krista L. Scott	1715 Monroe Street Fort Myers, FL 33901

STATE OF FLORIDA
COUNTY OF LEE

I, Archie T. Grant, Jr., declare to the officer taking my acknowledgment of this instrument, and to the subscribing witnesses, that I signed this instrument as my Last Will and Testament.

Archie T. Grant, Jr.

STATE OF FLORIDA
COUNTY OF ORANGE

I, TIFFANY M. RUSSELL, Clerk of the Circuit Court
Orange, County, Florida, HEREBY CERTIFY the within
and foregoing is a true and correct copy of the original
as it appears on record and file in this office in
Clerk of the Circuit Court in and for Orange County, Florida.
that it HAS NOT been ADMITTED to probate and
record in and for Orange County, but only DEPOSITED
with the Circuit Court pursuant to Section 732.901(1),
Florida Statutes.

WITNESS my hand and the official seal of this
Court at Orlando, Orange County, Florida this
4 day of MAY, 2017.

TIFFANY M. RUSSELL
Clerk Circuit Court

By _____ Deputy Clerk

We, Ernest H. Hatch, Jr. and Krista L. Scott, have been sworn by the officer signing below, and declare to that officer on our oaths that the testator declared the instrument to be his Last Will and Testament and signed it in our presence, and that we each signed the instrument as a witness in the presence of the testator and of each other.

Ernest H. Hatch, Jr.

Krista L. Scott

Acknowledged and subscribed before me by the testator, Archie T. Grant, Jr., [ ] who is personally known to me or [✓] who has produced FL Drivers Lice as identification, and sworn to and subscribed before me by the witnesses, Ernest H. Hatch, Jr., who is personally known to me, and by Krista L. Scott, who is personally known to me, and subscribed by me in the presence of the testator and the subscribing witnesses, all on December 23, 2014.

JENNIFER L. BUSCH
Commission # FF 070132
Expires November 26, 2017
Bonded Thru Troy Fain Insurance 800-385-7019

Jennifer L. Busch, Notary Public, State of Florida