

mo

Filed Oct 31, 1996

LAST WILL AND TESTAMENT OF ROBERTA H. BARROWS

BE IT REMEMBERED that I, ROBERTA H. BARROWS of 29 Bates Street, Mendon, Massachusetts, being of sound mind and memory and knowing the extent and location of all my property, real and personal, but realizing the uncertainties of this mortal life and wishing in the event of my death to dispose of my property in the following manner, do hereby make, declare and publish this document as my LAST WILL AND TESTAMENT, hereby revoking any and all Wills and/or Codicils thereto, heretofore made by me. After payment of my just debts, funeral expenses and expenses of administration, I give, devise and bequeath my property as follows:

FIRST: I give, devise and bequeath all my estate and property, both real and personal, of whatsoever kind and wheresoever situated, including any property over which I may have power of appointment, to my sister, ALTHEA G. CARLSON of RFD#2, Box 301, Lyndonville, VT.

SECOND: Should the said ALTHEA G. CARLSON predecease me, all the rest, residue and remainder of my estate and property, both real and personal of whatsoever kind and wheresoever situated, including and property over which I may have power of appointment, I give, devise and bequeath in equal shares or all to the survivor or survivors thereof to ROBERTA WASHBURN of 6 Mousam Ridge Road, Kennebunk, Maine and JAY WASHBURN of 29 Bates Street, Mendon, Massachusetts.

THIRD: No person shall inherit from me who shall file a claim against my Estate for services or otherwise, nor shall any person inherit from me who shall contest this Will in any way or manner. A bequest to such person or persons shall lapse and be distributed in accordance with the provisions above made for the distribution of my Estate except that such person(s) shall not share in the distribution of my Estate if he/she contests this Will or makes any claim against my Estate for services rendered or monies alleged due.

FOURTH: I nominate and appoint JAY WASHBURN to be Executor of this my LAST WILL AND TESTAMENT.

If the said JAY WASHBURN shall predecease me or die while serving in said office or resign or decline to serve, then I nominate and appoint the following person to succeed him:

(a) my sister, ALTHEA G. CARLSON

Meaning and intending that only one person shall serve as Executor at any given time.

I hereby request that, in accordance with Massachusetts General Law Chapter 192, Section 13, my executor also be appointed as Temporary Executor.

FIFTH: I request that no Executor hereunder be required to furnish surety or sureties on their official bonds.

SIXTH: I hereby authorize my Executor from time to time and upon such terms as they deem fit and without the necessity of applying to any Court or

other tribunal or any beneficiary of my Will to sell any part of the whole of my property, real or personal, in my Estate. My Executor shall also have power to compound or compromise or allow time or accept security for the payment of debts owing or belonging to my estate and to adjust by arbitration or otherwise, disputes in relation thereto or in relation to debts or claims upon any evidence that they shall think sufficient and may exercise all power and discretions hereby or by law given them notwithstanding they may have a direct or other personal interest in the mode or result of exercising any such power or discretion. Every deed or other instrument of conveyance executed and delivered by my executor unless it is otherwise expressed therein shall pass to the Grantee an estate in fee simple and shall be binding in both law and equity and any person or corporation taking an interest in any property so conveyed by any such deed or other instrument or taking any receipt of my Executor for any money or thing paid, transferred, or delivered to them shall not in any possible event be bound to inquire into the validity, regularity or propriety of such deed, instrument or receipt, or the existence of any

circumstances affecting the validity or propriety thereof, or to see to the application of the purchase money or money lent or mortgages or otherwise or of other consideration received by my Executor in connection therewith. I give my Executor full discretionary powers in the filing of joint income tax returns signed in my behalf, and to pay all or any part of income taxes due on such a joint return and any liability incurred for any tax return filed.

SEVENTH: All property, whether real or personal, which I own at the time of my death, in the name of myself and any other person, and which is payable or passes by law on my death to other persons, shall be the sole property of such other person, and my Executor shall make no claim against such other person on account thereof.

EIGHTH: It is my desire and request that in connection with the allowance of the accounts of any fiduciary under this Will, the representation by a guardian ad litem of the interests of persons unborn or unascertained or the interest of any

other person be dispensed with as permitted under law.

NINTH: My Executor shall have the power to pay over to a parent or legal guardian of any minor legatee his or her share in my Estate and a receipt signed by such parent or legal guardian shall suffice to exempt my Executor from any and all future personal liability to such minor legatee.

TENTH: The interest of any beneficiary under the provisions of this Will, both as principal and income, shall be free from anticipation and alienation by such beneficiary and shall not be subject to the reach by creditors by attachment or by proceeding at law or equity, bankruptcy, or insolvency or in any matter whatsoever. No beneficiary shall have the right of disposition in any manner of his legacy, income or corpus, or any installment thereof, until such legacy shall have been actually transferred over or paid to him.

ELEVENTH: Whenever one gender is used in this Will it shall be deemed to include any gender, wherever the context so requires; and wherever the content

so requires, the singular shall be deemed to include the plural thereof, and vice-versa.

TWELFTH: I direct that all inheritance, legacy, succession and estate taxes, and taxes of like nature, whether payable to the state or federal governments or otherwise, which may be payable by reason of my death, upon property whether real, personal or mixed, then solely owned by me or then owned by me jointly with some other person or persons, or upon proceeds of life insurance policies upon my life, or upon Government bonds payable upon my death to be a designated person or persons, or upon gifts inter vivos made by me, shall be paid by my Executor out of my residuary estate as an expense of administration, and my Executor shall not require any transferee or beneficiary to reimburse my Estate for said taxes so paid, nor deduct the same from the share of any beneficiary hereunder.

I authorize my Executor in his sole and absolute discretion to compromise, adjust or otherwise settle any tax hereinbefore mentioned, and further to have the tax on any remainder or contingent

estate deferred, or to compromise, adjust or otherwise settle the same, and to pay all of said taxes out of my residuary estate as an expense of administration.

IN WITNESS WHEREOF, I have hereunto set my hand and seal in the presence of two (2) witnesses, and declare this to be my LAST WILL AND TESTAMENT, which Will consists of nine (9) sheets of typewritten paper, this 22nd day of January 1991.

Roberta H. Barrows
ROBERTA H. BARROWS

Signed, sealed, published and declared by said ROBERTA H. BARROWS as and for her LAST WILL AND TESTAMENT, in the presence of us, who, at her request, in her presence, and in the presence of each other subscribe our names as witnesses hereto this 22nd day of January 1991.

Douglas Taylor
WITNESS

18 George St

Mendon Mass 01756
ADDRESS

Clara L. Taylor
WITNESS

18 George St

Mendon, Mass. 01756
ADDRESS

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

January 22, 1991

Before me, the undersigned authority, on this day personally appeared ROBERTA H. BARROWS and Douglas Taylor and Arline Taylor known to me to be the Testatrix and the two witnesses respectively whose names are signed to the attached or foregoing instrument, and, all of these persons being by me duly sworn, the Testatrix declared to me and to the witnesses in my presence that the instrument is her LAST WILL and that she had willingly signed or directed another to sign for her and executed it as her free and voluntary act for the purposes therein expressed; and each of the witnesses stated to me, in the presence of the Testatrix that such witness had signed the Will as witnesses and that to the best of the witnesses' knowledge, the Testatrix was eighteen years of age or over, of sound mind and under no constraint or undue influence.

Roberta H. Barrows
ROBERTA H. BARROWS

Douglas Taylor
WITNESS

Arline L. Taylor
WITNESS

Subscribed and sworn to before me by the said ROBERTA H. BARROWS and said witnesses, this 22nd day of January 1991.

Andrea D. Fogarty
NOTARY PUBLIC
MY COMMISSION
EXPIRES: 11-4-94