

LAST WILL AND TESTAMENT OF ROBERT DAY GUNLOCK III

THE STATE OF TEXAS)
COUNTY OF COLLIN)

KNOW ALL MEN BY THESE PRESENTS:

Inst # 1993-2802

That I, Robert Day Gunlock, husband of Carol Byrd Gunlock of the City of Plano, Collin County, Texas, being in good health and of sound and disposing mind and memory, and hereby intending to dispose of all property to me at my death, of every kind, character and description, wheresoever situated, and being above the age of twenty-one years, do make, publish and declare this to be my last will and testament, hereby revoking any and all former wills and codicils by me at any time heretofore made.

09/14/1993-28023
09:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
008 KJS 26.00

1.

I will and direct that my executor or executrix, as the case may be, hereinafter named, shall pay and discharge all my just debts and funeral expenses, and the expenses of administration of my estate and, in addition, all federal estate and gift taxes and state inheritance taxes that may be chargeable against my estate and against the devises and bequests herein made, including all such taxes legally chargeable against my estate on account of any insurance on my life, using for all such purposes so much of my estate as shall seem best, and without right of reimbursement or contribution from any person on account of such payment. My said executor shall have full power and authority to sell any part or parts, real, personal or mixed, of my estate for cash or on terms of credit, and for such consideration or considerations as such executor may deem advisable.

2.

I give, devise and bequeath to my dear wife, Carol Byrd Gunlock, all my right, title and interest in and to all my property of any kind, real, personal or mixed, wheresoever situated of which I may die seized and possessed.

I make no provisions for my children born of this marriage having full confidence in the ability and disposition of my said wife to care properly for my said children and to assist said children if one or more shall become or be in need.

I hereby constitute and appoint my said wife, Carol Byrd Gunlock, independent executor of this my last will and testament of my estate.

Carol B. Griffin
1221 Monterey Cir.
Plano, TEXAS 75075

PAGE ONE OF MY WILL

Robert Day Gunlock III
Robert Day Gunlock III

3.

In the event that my dear wife, Carol Byrd Gunlock, should predecease me or should die simultaneously with me or so nearly so that Paragraph 5 below becomes operative, I give, devise and bequeath to my children born of this marriage, all my right, title and interest in and to all my property of any kind, real, personal or mixed, share and share alike wheresoever situated of which I may die seized and possessed.

In the event that my dear wife, Carol Byrd Gunlock, should predecease me or should die simultaneously with me or so nearly so that Paragraph 5 below becomes operative, and in the event that any of my said children born of this marriage should predecease me or should die simultaneously with me or so nearly so that Paraph 5 below becomes operative, I give devise and bequeath to the child or children of my deceased children (my grandchildren) me surviving, share and share alike, per stirpes all my right, title and interest in and to all my property of any kind, real, personal or mixed, wheresoever situated of which I may die seized and possessed.

If such event occurs, I hereby constitute and appoint Mrs. Ouida Byrd Bentley, Columbiana, Alabama, independent executor of this my last will and of my estate.

If such event occurs, I hereby nominate, appoint and constitute Mrs. Ouida Byrd Bentley, Columbiana, Alabama, guardian of the person and of the estate of my said minor child or children, me surviving.

4.

In the event that my dear wife, Carol Byrd Gunlock, should predecease me or should die simultaneously with me or so nearly so that Paragraph 5 below becomes operative, and all my children and grandchildren predecease me or should die simultaneously with me or so nearly so that Paragraph 5 below becomes operative, then I give devise and bequeath all my right, title and interest in and to all my property of any kind, real, personal or mixed, wheresoever situated of which I may die seized or possessed to the following named person persons and in the following set forth percentages:

PAGE TWO OF MY WILL


Robert Day Gunlock III

a. 50% (fifty percent) of my estate to my nearest lineal ancestor or ancestors as set forth in King's Chart of Descent and Distribution.

b. 50% (fifty percent) of my estate to my wife's nearest lineal ancestors as set forth in King's Chart of Descent and Distribution.

If such event occurs, I hereby nominate, constitute and appoint Mrs. Ouida Byrd Bentley, Columbiana, Alabama, independent executor of this my last will and testament and of my estate.

5.

For the purpose of this my last will and testament, a person shall not be considered to survive another if he or she, as the case may be, shall die within thirty (30) days of the death of such other, provided that this clause shall not apply in any case where it's application would cause any provision of this will, which would otherwise be valid, to be void under any applicable rule against perpetuities, rule limiting suspension of the power of alienation or similar rule.

6.

I hereby direct that no bond shall be required of anyone named as executor or executrix of this my last will and testament and of my estate.

7.

I further direct that no action shall be taken in the County Court or any other Court in relation to the settlement of my estate other than the probating and recording of this, my last will and testament and the return of an inventory, appraisement and list of claims of said estate.

IN TESTIMONY WHEREOF, I, The said Robert Day Gunlock, do make, publish and declare and herewith set my hand to this, my last will and testament, typewritten on 4 pages of paper including the attestation clause and the signatures of witnesses) upon the bottom of each of which sheets I have written my name this the 27TH day of MARCH, ¹⁹⁷⁸ 1972, in the presence of BETTY W. HORN and LEO F. WHELAN, who attest the same at my request in my presence and in the presence of each other.


Robert Day Gunlock, Testatrix.

PAGE THREE OF MY WILL


Robert Day Gunlock

On this the 27th day of MARCH, ¹⁹⁷⁸ 1972, Robert Day

Gunlock declared to us, the undersigned, that the foregoing instrument was his last will and testament, and he requested us to act as witnesses to the same and to his signature thereon. He thereupon signed said will in our presence, we being present at the same time. And we now, at his request, in his presence and in the presence of each other do hereunto subscribe our names as witnesses; and we, and each of us, declare that we believe the testatrix to be of sound mind and memory and capable of making a will.

Betty W. Horn
NAME

3432 Haynie Ave - Dallas
ADDRESS

Leo F. Whelan
NAME

805 Branch Dr. Garland TX.
ADDRESS

NAME

ADDRESS

THE STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT DAY GUNLOCK, BETTY W. HORN and LEO F. WHELAN known to me to be the testatrix and the witnesses respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and all of said persons being by me duly sworn, the said Robert Day Gunlock, testatrix, declared to me and to the said witnesses in my presence that said instrument is his last will and testament and that he has willingly made and executed it as her free act and deed for the purposes therein expressed; and the said witnesses, each on his oath stated to me, in the presence and hearing of the said testatrix that the said testatrix had declared to them that said instrument is his last will and testament and that he executed same as such and wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of the said testatrix and at his request; that he was at that time nineteen years of age or over and was of sound mind, and that each of said witnesses was then at least fourteen years of age,

Robert Day Gunlock
Robert Day Gunlock, Testatrix.

Betty W. Horn
Witness

Leo F. Whelan
Witness

Witness

Subscribed to and acknowledged to me by the Said Robert Day Gunlock, Testatrix and Subscribed and sworn to before me by the said XXXX,

BETTY W. HORN, and LEO F. WHELAN, witnesses,

this 27th day of MARCH, ¹⁹⁷⁸ 1972.

[Signature]
Notary Public, Dallas County, Texas

NO. 78-282

ESTATE OF)
) IN THE COUNTY COURT
)
ROBERT DAY GUNLOCK III) OF
AKA ROBERT DAY GUNLOCK,)
DECEASED) COLLIN COUNTY, TEXAS

ORDER ADMITTING WILL TO PROBATE AND
AUTHORIZING LETTERS TESTAMENTARY

On this day came on to be heard the Application for Probate of Will and Issuance of Letters Testamentary filed by CAROL BYRD GUNLOCK in the Estate of Robert Day Gunlock III aka Robert Day Gunlock, Deceased.

The Court, having heard the evidence and having reviewed the Will and the other documents filed herein, finds that the allegations contained in the Application are true; that notice and citation have been given in the manner and for the length of time required by law; that Decedent is dead and that four years have not elapsed since the date of Decedent's death; that this Court has jurisdiction and venue of the Decedent's estate; that Decedent left a Will dated March 27, 1978, executed with the formalities and solemnities and under the circumstances required by law to make it a valid Will; that on such date Decedent had attained the age of 18 years and was of sound mind; that such Will was not revoked by Decedent; that no objection to or contest of the probate of such Will has been filed; that all of the necessary proof required for the probate of such Will has been made; that such Will is entitled to probate; that in said Will, Decedent named CAROL BYRD GUNLOCK as Independent Executrix, to serve without bond, who is duly qualified and not disqualified by law to act as such and to receive Letters Testamentary; that a necessity exists for the administration of this estate; and that no interested person has applied for the appointment of appraisers and none are deemed necessary by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that such Will is admitted to probate, and the Clerk of this Court is ORDERED to record the Will, together with the Application in the Minutes of this Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that no bond or other security is required and that upon the taking and filing of the Oath required by law, Letters Testamentary shall issue to CAROL BYRD GUNLOCK who is appointed as Independent Executrix of Decedent's Will and Estate, and no other action shall be had in this Court other than the return of an Inventory, Appraisal and List of Claims as required by law.

SIGNED AND ENTERED this 18th day of May
197 9.



JUDGE

Howard Shapiro
Attorney at Law
P. O. Box 1720
1809 Avenue K
Plano, Texas 75074
AC 214 - 423-4518
Attorney for Applicant

Letters Testamentary

No. 78-282

The State of Texas
County of Collin

In County Court
Collin County, Texas

I, Jas. R. Webb Clerk of the County Court of
Collin County, Texas, do hereby certify

that on the 12th day of January A.D. 1979,
Carol Byrd Gunlock

was
by said court duly granted Letters Testamentary of the Estate of
Robert Day Gunlock, III
AKA Robert Day Gunlock deceased and that

she has duly qualified as * Independent Executrix of said
Estate on the 12th day of January A.D. 1979 as the
law requires, and that said appointment is still in full force and effect.

Witness my hand and seal of said court, at McKinney,

Texas this 12th day of January A.D. 1979

State of Texas
County of Collin Jas. R. Webb Clerk,

I verify this to be a true copy
made this (SEAL) 9th day of February, 1979. Collin County, Texas.

Helen Horstman
Helen Horstman, Notary Public By Bobbie Morton Deputy.
State of Texas, County of Collin.

*Insert "Independent" When Applicable

1. PLACE OF DEATH
 a. COUNTY *Dallas*
 b. CITY OR TOWN (if outside city limits, give precinct no.) *Dallas*
 c. LENGTH OF STAY in 1 b. *1 Day*
 d. NAME OF (If not in hospital, give street address) HOSPITAL OR INSTITUTION *Baylor Medical Center*
 e. IS PLACE OF DEATH INSIDE CITY LIMITS? YES NO

2. USUAL RESIDENCE (Where deceased lived. If institution, give residence before admission)
 a. STATE *Texas* b. COUNTY *Collin*
 c. CITY OR TOWN (if outside city limits, give precinct no.) *Plano*
 d. STREET ADDRESS (if rural, give location) *1801 Northcrest Drive*
 e. IS RESIDENCE INSIDE CITY LIMITS? YES NO f. IS RESIDENCE ON A FARM? YES NO

3. NAME OF DECEASED (Type or print)
 (a) First *Robert* (b) Middle *Day* (c) Last *Gurlock III*
 4. DATE OF DEATH *Nov. 30, 1978*

5. SEX *Male* 6. COLOR OR RACE *Caucasian* 7. Married Never Married Widowed Divorced
 8. DATE OF BIRTH *3-4-1927* 9. AGE (In years last birthday; IF UNDER 1 YEAR, Months Days Hours Minutes) *51*

10a. USUAL OCCUPATION (Give kind of work done during most of working life, even if retired) *Mgr. Outside Plant* 10b. KIND OF BUSINESS OR INDUSTRY *Western Union*
 11. BIRTHPLACE (State or foreign country) *Alabama* 12. CITIZEN OF WHAT COUNTRY? *USA*

13. FATHER'S NAME *Robert Day Gurlock, Jr.* 14. MOTHER'S MAIDEN NAME *Mamie Kay Kroell*

15. WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes, no, or unknown) *yes* (If yes, give year or dates of service) *1941-1947* 16. SOCIAL SECURITY NO. [REDACTED] 17. INFORMANT *Mrs. Carol Gurlock*

18. CAUSE OF DEATH [Enter only one cause per line for (a), (b) and (c).]
 PART I. DEATH WAS CAUSED BY:
 IMMEDIATE CAUSE (a) *Myocardial Infarction*
 Conditions, if any, which gave rise to above cause (a), stating the underlying cause last. }
 DUE TO (b) *Coronary Artery Disease*
 DUE TO (c) _____
 PART II. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO THE TERMINAL DISEASE CONDITION GIVEN IN PART I.

20a. ACCIDENT SUICIDE HOMICIDE 20b. DESCRIBE HOW INJURY OCCURRED (Enter nature of injury in Part I or Part II of Item 8)
 20c. TIME OF INJURY Hour Month Day Year
 20d. INJURY OCCURRED WHILE AT WORK NOT WHILE AT WORK 20e. PLACE OF INJURY (e.g., in or about home, farm, factory, street, office building, etc.)
 20f. CITY TOWN OR LOCATION COUNTY STATE

21. I hereby certify that I attended the deceased from *July 18, 1978* to *November 30, 1978* on *November 30, 1978* (Death occurred at *11:25 p.m.* on the date stated above and to the best of my knowledge and belief)
 22a. SIGNATURE *[Signature]* (Degree or title) *M.D.* 22b. ADDRESS *3500 Gaston, Dallas, Texas 75246*

23a. BURIAL, CREMATION, REMOVAL (Specify) *Removal* 23b. DATE *Nov. 30, 1978* 23c. NAME OF CEMETERY OR CREMATORY *Montevallo Cemetery*
 23d. LOCATION (City, town, or county) (State) *Montevallo (Shelby) Alabama* 24. FUNERAL DIRECTOR'S SIGNATURE *Warrington-Draicher-Dickey*
 25a. REGISTRAR'S FILE NO. *8946* 25b. DATE REC'D BY LOCAL REGISTRAR *DEC 8 - 1978* 25c. REGISTRAR'S SIGNATURE *Johnnie P. Willis*

BUREAU OF VITAL STATISTICS TEXAS DEPARTMENT OF HEALTH

000-0

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VS-112, REV. 5-58
09/14/1993-28023
09:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOB MJS 26:00

Inst # 1993-28023

WHEN IMPRESSED WITH THE SEAL OF THE CITY OF DALLAS, THIS IS CERTIFIED TO BE A TRUE COPY OF THE PERMANENT RECORD AS FILED IN THE BUREAU OF VITAL STATISTICS.

ISSUED: JAN 25 1979

Johnnie P. Willis

09/14/1993-128023
09:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOB MJS 26:00