MILWAUKEE COUNTY - COUNTY COURT IN PROBATE

I, JOHN R. JONES, Register of Probate of the County Court of Milwaukee County, do hereby certify that I
& Letters Testamentary
have compared the annexed copy of the Last Will and Testament Codicil/Certificate of Probate, Order and Final
Decree in the Matter of the Last Will and Testament of FREDERICK H. MILLER, deceased with the original thereof
on file and of record in the office of the Register of Probate of said County Court, and that the same are true
and correct copies thereof, and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County Court this 17th day of October, A. D. 1940.

(SEAL)

Certificate .50
Copy 9.00
Total \$9.50

John R. Jones, Register of Probate

STATE OF WISCONSIN

MILWAUKEE COUNTY - COUNTY COURT - IN PROBATE

THIS IS TO CERTIFY, That the annexed written instruments were on the day of the date hereof, at the time and place fixed for that purpose, duly proved in our said County Court as the last Will and testament and codicil of Frederick H. Miller late of said County, deceased by testimony of Walter A. Lamp on the the attesting witnesses to said last will and testament and codicil and were by our said court, on said day duly allowed as prescribed by law and probate thereof granted as and for the last will and testament and codicil of said deceased.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of said Court at the City of Milwaukee, in said County, this 6th day of September, A. D. 1934.

(SEAL) -

M. S. Sheridan, County Judge

LAST WILL AND TESTAMENT OF FREDERICK H. MILLER

- I, Frederick H. Miller, residing in the Village of Whitefish Bay, County of Milwaukee, State of Wisconsin, being of sound mind and memory, do make, publish and declare, this my last will and Testament, hereby revoking any and all former wills and codicils by me heretofore made.
- 1. I direct that all my just debts, funeral expenses and any or all charges be paid out of my personal property.
- 2. I bequeath to the following named persons, organizations and institutions, the sum set opposite their respective names:
- (a) To my wife, Taa C. Miller, and to her heirs and assigns forever, stocks, bonds and/or securities to be selected by her in the aggregate appraised value of Fifteen Thousand (\$15,000.00) Pollars. Provided, however, if the proceeds received by her as the beneficiary under my life insurance policies shall equal or exceed said sum of Fifteen Thousand (\$15,000.00) Pollars, then this bequest shall lapse and become a part of the residuum of my estate. Provided, further if the proceeds received by her as the beneficiary under my life insurance policies shall be less than said sum of Fifteen Thousand (\$15,000.00) Pollars, then she is hereby mequeathed stocks, bonds and/or securities to be selected by her of an amount equal to the difference between the proceeds received by her as the beneficiary of my life insurance policies and the said sum of Fifteen Thousand (\$15,000.00) Pollars.

Page one

Frederick H. Miller

- (b) To my son, Raymond Miller, and to his heirs and assigns forever, stocks, bonds and/or securities to be selected by him out of my estate in the aggregate appraised value of Ten Thousand (\$10,000.00) Dollars.
- (c) To my daughter, Arline O'Connor, and to her heirs and assigns forever, stocks, bonds and/or securities to be selected by her out of my estate in the aggregate appraised value of Ten Thousand (\$10,000.00) bollars.
- (d) To my son-in-law, Arthur J. O'Connor, and his heirs and assigns forever, the sum of One Thousand (\$1,000.00) Dollars.
 - (e) To my sister-in-law, Amanda M. Lamp, the sum of One Thousand (\$1,000.00) Dollars.
 - (f) To my sister-in-law, Ella J. Lump, the sum of One Thousand (\$1,000.00) Dollars.

- (g) To my sister, Carrie Thierbach, the sum of One Thousand (\$1,000.00) Lollars.
- (h) To my sister, Laura Goetz, the sum of One Thousand (\$1,000.00) Dollars.
- (i) To my niece, Ida Lau, of Milwaukee, Wisconsin, the sum of Five Hundred (\$500.00) Dollars; in the event of her death, prior to the distribution of this bequest, then the said sum of Five Hundred (\$500.00) Dollars, shall be divided equally between her two children, Dorothy and Frederick. In the event of the death of either of her said children, begore this will becomes operative, then his or her share shall go to the surviving child.
- (j) To my sister-in-law, Clara Mueller, the sum of One Thousand (\$1,000.00) Dollars; but in case she shall die in my lifetime, then I bequeath the sum of Five Hundred (\$500.00) Dollars each, to her sons Armond Mueller and John Mueller. In the event of the death of anyone of her sons prior to the distribution of said respective bequeats to them, such bequest to the one deceased shall lapse and it shall become a part of the residuum of my estate to be disposed of as hereinafter provided.
 - (k) To Mt. Sinai Hospital of Milwaukee, Wisconsin, the sum of One Hundred (\$100.00) Pollars.
- (1) To the Little Sisters of the Poor, located on the Corneer of West Wells and North 20th Street, Milwaukee, Wisconsin, the sum of One Fundred (\$100.00) Dollars.
 - (m) To the Rescue Mission, Milwaukee, Wisconsin, the sum of One Hundred (\$100.00) Dollars.
- (n) To the Lincoln Memorial University, Cumberland Gap, Harrogate, Tennessee, the sum of One Hundred (\$100.00) Dollars.
 - (o) To the Home for the Friendless, Milwaukee, Wisconsin, the sum of One Hundred (\$100.00) Dollars.
 - (p) To the Salvation Army, Milwaukee, Wisconsin, the sum of One Hundred (\$100.00) Dollars.
 - (q) To the Travelers Aid Society of Milwaukee, Wisconsin, the sum of Une Hundred (\$100.00) Pollars.
- (r) To the Whitefish Bay Community Church, Whitefish Bay, Wisconsin, the sum of One Hundred (\$100.00) Dollars.
 - (s) To the Santa Monica Church, Whitefish Bay, Wisconsin, the sum of One Hundred (\$100.00) Pollars.
 - (t) To the Visiting Nurse Association, Milwaukee, Wis., the sum of One Hundred (\$100.00) Dollars.
 - (u) To the Curative Work Shop, Milwaukee, Wisconsin, the sum of One Hundred (\$100.00) Dollars.
- (v) To the Milwaukee Childrens Hospital Association, Milwaukee, Wisconsin, the sum of One Gundred (\$100.00) Dollars.
- 3. In the event of the death of any one or more of the legatees mentioned in sub-paragraphs (e), (f), and (g) of paragraph 2 above, prior to the distribution of said respective bequests to them, such bequest to the one deceased shall lapse and it shall become a part of the residuum of my estate, to be disposed of as hereinafter provided.
- 4. All the rest, residue and remainder of my estate, real and personal, of every kind and nature and wheresoever the same may be situated, of which I shall be seized and possessed or to which I shall be entitled at the time of my decease, together with all lapsed legacies, I give, devise and bequeath unto my son Raymond Miller and my daughter Arline O'Connor as joint tenants in trust for the uses, intents and purposes and with and subject to the powers and limitations hereinafter expressed and declared.
- 5. It is my will and I direct that my wife, Ida C. Miller shall have the free use and occupation of my residence as long as she lives and desires to occupy the same, free from any expense whatsoever, and I trust and have confidence that my children will do all in their power to make her declining years happy, peaceful, pleasant and contented.
- 6. My trustees shall take, hold, administer, collect, invest and reinvest my said trust estate, and collect and apply, as herein prescribed, the assets, rents, issues, incomes and profits thereof.
- 7. The assets and securities comprised in my estate at the time of my death may be received and held by my trustees in their discretion, whether or not the same comply with the rules herein or by law prescribed for investment. The trustees may in their discretion pay and discharge any liens, debts or obligations exist-

trust, approve and participate in and make any payments required by, any proceedings for reorganization, refinancing, dissolution, or other similar transactions; may receive and sell or exercise rights for the purchase of additional stock and/or other securities; may accept substituted or distributed stocks and securities; and may retain in the trust estate stocks and securities so received or purchased; all with impeachment only for lack of good faith.

- 8. My trustees shall have full power in their discretion:
- (a) To sell, assign, transfer and convey each and every of the assets, real and personal, from time to time comprised in the trust estate, at such times, for such prices and on such terms, as to credit, security and otherwise, as they shall deem expedient in the interest of the trust.
- (b) To grant written options, binding upon the assets therein described, for the purchase thereof, for such considerations, upon such terms as to price, credit, security and otherwise, and extending for such period not exceeding one year as they shall deem advantageous to the trust.
- (c) To expend moneys of the trust estate, and/or moneys realized from or borrowed on security of assets of the trust estate, in the repair, maintenance, taxes and assessments and/or improvements of or upon any real estate in said trust estate.
- (d) To borrow moneys for any of the purposes of this trust, and secure the payment thereof with interest by pledging or mortgaging personal property and/or real estate upon such terms and conditions and in such form as they shall in their discretion adopt.
- (e) All costs and expenses in any calendar year of carrying, repairing, maintaining, and/or improving the real estate in the trust estate, may in the trustees' discretion be charged against the principal of the trust estate to such extent if any as such costs and expenses exceed the income derived in such year from the specific real estate upon which such costs and expenses are incurred. The trustees may in their discretion advence such costs and expenses out of the principal and reimburse the principal in whole or in part therefor by charges to the income, in such amounts and at such intervals as they shall determine to be just and expedient. The trustees may set up out of the income of any such real estate such reserves to provide for taxes, assessments, insurance premiums, maintenance and/or depreciation as in their discretion shall be requisite for the prudent operation and administration thereof.
- 9. Stock dividends and rights to purchase stock or other securities, declared and issued upon corporate securities held in my estate and/or trust estate, whether based upon surplus accumulated before or upon surplus accumulated after my death, less income taxes chargeable thereto, shall be treated as principal; and may in my trustees' discretion be held, retained, and exercised by my trustees with the same discretion above defined in respect of corporate stocks and other assets and securities held by me at the time of my death.

 If, however, such dividends are payable or commuted at the stockholder's option in cash, such dividends if accepted in stock shall be treated as income.
- 10. The trustees shall divide the net income of said trust estate at convenient intervals at least as often as quarterly, as follows:
 - (a) One-half (1/2) thereof to my widow, Ida C. Miller;
 - (b) one-fourth (1/4) thereof to my son, Raymond Miller;
 - (c) One-fourth (1/4) thereof to my daughter, Arline O'Connor.
- 11. The residuary trust hereby created shall continue during the life of my widow, Ida C. Miller, and upon her death the trustees shall proceed with all convenient speed, to close said trust and distribute the residue within such reasonable time not exceeding one year as it shall require for practical and economical settlement and distribution, to my son Raymond Miller and my daughter Arline O'Connor, share and share alike.

In making such distribution, the trustees may in their discretion appraise and distribute specifically any or all of the assets and securities in which the trust estate shall be invested, and/or convert into money

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any or all of said assets and securities; and may make such just and equitable partition as in their discretion shall do justice between the parties. In respect of any real estate subsisting in the trust they may convey undivided interests to the parties entitled to distribution.

- 12. I direct my executors and/or trustees to employ Leonard I. Franklin of Milwaukee, Wisconsin as their Attorney in all legal matters relating to my estate.
- 13. I nominate, constitute and appoint my son, Raymond Miller, to be the executor and my daughter, Arline O'Connor, to be the executrix of this my last Will and Testament, and the trustees of the trust therein created, and I direct that they be exempt from giving a surety or sureties upon their official bonds, both as said executor and executrix and/or trustees; in the event of the death or resignation of either of the above then the survivor shall act alone.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this my Will contained in seven sheets of paper, upon each of which I have also written my name, at Milwaukee, Wisconsin, this 25 day of May, 1931.

Frederick H. Miller (Seal)

ATTESTATION

Signed, sealed, published and declared by said Testator, Frederick H. Miller, as and for his last Will and Testament, in the presence of us, who, at his request, in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses the day and year last above written.

Walter A. Lamp residing at Milwaukee, Wisconsin

Charles F. Brussat residing at Milwaukee, Wisconsin

CODICIL

TO

LAST WILL AND TESTAMENT

OF

FREDERICK H. MILLER

I, Frederick H. Miller, residing in the Village of Whitefish Bay, County of Milwaukee, State of Wisconsin having heretofore made my last Will and Testament, bearing date of May 25, 1931, do now qualify and modify said Will and Testament by making and attaching this Codicil thereto.

Since the making of my last Will and Testament, I find that my estate has shrunk and depreciated in value, necissitating my making certain changes in my said will.

I now, therefore, direct that my Executor and Executrix and/or Trustees may treat the bequests contained in subparagraphs "(a) to (v)" inclusive, in paragraph 2 of my said Will, as suggestive and not mandatory and that if any bequests are paid that priority be given to the bequests contained in sub-paragraphs (d), (e), (f) (g) and (h) of paragraph 2 in the order named.

In other respects, I confirm my said Will and Testament.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this Codicil at Milwaukee, Wisconsin, this 28 day of February, 1933.

Frederick H. Miller

ATTESTATION

Signed, sealed, published and declared by said Frederick H. Miller, as his Codicil to his last Will and Testament, in the presence of us, who, at his request, in his presence, and in the presence of each other, have hereunto subscribed our nemes as witnesses the day and year last above written.

Walter A. Lamp, residing at Milwaukee, Wis.

George Mountcastle, residing at Milwaukee, Wis.

LETTERS TESTAMENTARY

STATE OF WISCONSIN,)
MILWAUKEE COUNTY) SS

THE STATE OF WISCONSIN, TO

Raymond H. P. Miller and Arline O'Connor, GREETING:

WHEREAS Frederick H. Miller, late of the Village of Whitefish Bay, in the County of ---- and State of Wisconsin, lately died, having first made and published his last Will and Testament and Codicil and therein and thereby appointed Raymond H. P. Miller and Arline O'Connor, as Executor and Executrix of his said Will and Codicil. And whereas, on the 6th day of September A. D. 1934, at the Court House in the City of Milwaukee, in our County of Milwaukee, before our County Court, in and for said County, the said last Will and Testament and Codicil to the Last Will and Testament of the said Frederick H. Miller, deceased, was proved, and is now approved by us in our said County Court; and whereas, the said deceased had whilst living, and at the time of his death, goods, chattels, rights, credits and estate within this State whereby the proving and registering of the Will and the ordering and granting administration of all and singular, the said goods, chattels, rights, credits and estate, and also the auditing, allowing and finally discharging the account whereof doth in virtue of our statutes in such case made and provided, belong and appertain to our said County Court.

THEREFORE, our said County Court, by our authority and in our name, has granted and hereby does grant the administration of all and singular, the goods, chattels, rights, credits and estate of the said deceased, and in any way concerning his said last Will and Testament and Codicil to the Last Will and Testament unto Raymond H. P. Miller and Arline O'Connor, as Executor and Executrix in said Will and Codicil. And our said County Court does hereby, in our name, and by our authority, grant unto you full power and authority to administer, and faithfully dispose of according to law, all and singular, the goods, chattels, rights, credits and estate, which to the said deceased whilst living, and at the time of his death did belong; also, to ask, demand, collect, recover and receive all and singular, the debts, claims, demands, rights and credits which to the said deceased whilst living, and at the time of his death, did belong; and to pay the debts which the said deceased did owe, or which he in the law stood bound, so far as such goods, chattels, rights, credits and estate will, under the order or decree of our said County Court, enable you to do. And you are hereby required to make or cause to be made a true and perfect inventory of the real estate, and of all the goods, chattels, rights and credits which were of the said deceased at the time of his death, and which has or shall come to your possession or knowledge; to casue the estate and effects comprised in the inventory to be exhibited to and appraised by the persons lawfully appointed and sworn for that purpose; to make or cause to be made a separate and distinct inventory and appraisement of all the household furniture and other personal property belonging to the estate of the said deceased, allowed to the widow of said deceased, pursuant to the provision of the statute in such case made and provided; to return the said inventories and appraisements under your hands and the hands of those by whom such appraisements shall be made, to our said County Court within ninety days from the date of these presents; and further to render a just and true account of your administration in the premises to our said County Court within one year from the time when you shall receive these letters, unless otherwise ordered by our said Court; to render all such further accounts in the premises as shall be required by our said Court, and to observe, obey and perform all such orders and decrees as shall be by our said County Court lawfully made and entered in the premises.

IN TESTIMONY WHEREOF, we have caused the seal of our said County Court to be hereunto affixed.

WITNESS: the Honorable M. S. Sheridan, Judge of our said Court, at the City of Milwaukee, in our said County of Milwaukee. on the 6th day of September, A. D., 1954.

By the Court,

M. S. Sheridan, County Judge.

(SEAL)

FINAL DECREE

MILWAUKEE COUNTY:

And the second

COUNTY COURT :: * * * * * *

IN BROBATE

At a term of said Court held at the Court House in the City of Milwaukee, commencing on the first Tuesday of March, 1936 and on the 9th day of March, 1936, in said term.

Present, the Honorable JOHN C. KAREL, County Judge.

In the Matter of the Estate of

Wisconsin.

FREDERICK H. MILLER,

Deceased.

Pursuant to the Order of this Court, made in said matter on the 12th day of June, 1935, the application of Raymond H. P. Miller, Executor and Arline O(Connor, Executrix of the Last Will and Testament of said deceased for a final settlement of the estate of said deceased according to law, came on this day to be heard.

Said Executor and Executrix appeared in person and by Orth & Orth, their attorneys, and no one appeared to oppose.

And it satisfactorily appearing to this Court:

That notice of the time and place of hearing said application has been duly waived in writing by all parties interested;

That the federal estate and the state inheritance and income taxes have been paid.

That the expenses of the last sickness, the funeral charges and the expenses of administration have been paid:

That said Executor and Executrix have fully administered said estate:

And it further appearing that there remains in the hands of said Executor and Executrix for distribution certain personal property which consists of cash, stock, bonds, &c., aggregating One Hundred Eighty-one Thousand Three Hundred Two and 10/100 (\$181,302.10) Pollars:

And it further appearing that the widow, Ida C. Miller, elected to take under the provisions of the law instead of under the provisions of the Last Will and Testament of said deceased, thus entitling her to one-third of the personal property remaining in the hands of said Executor and Executrix for distribution;

And it further appearing that Raymond In. P. Miller and Arline O'Connor are entitled to the balance of said personal property remaining for distribution after the payment of one-third to said Ida C. Miller, the widow, as aforesaid, and the legacies to them of Ten Thousand (\$10,000.00) Dollars each;

And it further appearing that the legacies for Ten Thousand (\$10,000.00) Dollars each to Raymond . P. Miller and Arline O'Connor have been paid;

And it further appearing from the proofs taken in open Court that the Executor and Executrix exercised their discretion not to pay the bequests contained in sub-paragraphs "(d) to (v)" incl. in paragraph two of said will of said deceased, pursuant to the power and authority vested in them in the codicil to said last will.

And it appearing further that said deceased died seized of the following described real estate, to-wit:

Lots numbered One (1), Two (2), Three (3) and Four (4), in Block numbered Two (2) and all except the North One hundred Twenty (N.120') feet of Lot "A" and so much of Lot "B" as lies directly east of said Lots One (1), Two (2), Three (3), and Four (4), in said Block Two (2), all in Continuation of Lawndale, in the Southwest One-quarter (SW4) of Section Twenty-eight (28), Township Eight (8) North Range Twenty-two (22) East, in the Village of Whitefish Bay, Milwaukee County, Wisconsin.

Lot numbered Thirty-three (33), in Block numbered Five (5), in Cawker's Subdivision "A" in the Northeast Quarter (NE4) of Section numbered Thirteen (13), in Township numbered Seven (7) North, of Range numbered Twenty-one (21) East, in the Twentieth (20th) Ward of the City of Milwaukee, Milwaukee County

And it further appearing from the proofs taken in open court that

Lots Three (3) and Four (4), in Block numbered Two (2) and so much of Lot "B" as lies directly East of said Lots Three (3) and Four (4), all in Continuation of Lawndale, in the Village of Whitefish Bay, Milwaukee County, Wisconsin,

constituted the homestead of said deceased.

And it further appearing that said deceased left him surviving Ida C. Miller, widow, and Raymond H. P. Miller and Arline O'Connor, children.

And it further appearing that Frederick H. Miller deceased, was also known as Fred H. Miller and F. H. Miller.

NOW THEREFORE, by virtue of the power in this Court vested and pursuant to the terms of the Last Will and Testament of said deceased and the Statute in such case made and provided,

IT IS ORDERED, ADJUDGED AND DECREED,

That the personal property be distributed as follows:

That the personal property be distributed as follows:

One-third (1/3) thereof, or the sum of Sixty Thousand Four Fundred Thirty-four and 04/100 (\$60,434.04)

Dollars to Ida C. Miller, the widow, and the balance, after deducting the legacies aforesaid, or the sum of One Fundred Thousand Eight Hundred Sixty-eight and 06/100 (\$100,868.06) Dollars to Raymond H. P. Miller, son, and Arline O'Connor, daughter, share and share alike, each receiving the sum of Fifty Thousand Four Hundred Thirty-four and 03/100 (\$50,434.03) Dollars.

That the real estate before described be and the same hereby is assigned and transferred as follows:

Lots One (1) and Two (2), in Block Two (2), and all except the North One Hundred Twenty (N.120') feet of Lot "A" and so much of Lot "B" as lies directly East of Lots One (1) and Two (2) in said Block Two (2), all in Continuation of Lawndale, in the Southwest One-quarter (SW4) of Section Twenty-eight (28) Township Eight (8) North, Range Twenty-two (22) East, in the Village of Whitefish Bay, Milwaukee County, Wisconsin.

and

Lot numbered Thirty-three (33), in Block numbered Five (5), in Cawker's Subdivision "A" in the Northeast quarter (NE₄) of Section numbered Thirteen (13), in Township numbered Seven (7) North, of Range numbered Twenty-one (21) East, in the Twentieth (20th) Ward of the City of Milwaukee, Milwaukee, County, Wisconsin. to Ida C. Miller, Raymond H. P. Miller and Arline O'Connor, equally, share and share alike.

Lots Three (3) and Four (4), in Block Two (2) and so much of Lot "B" as lies directly East of said Lots Three (3) and Four (4), all in continuation of Lawndale, in the southwest one-quarter (SW1) of Section Twenty-eight (28), Township Eight (8) North, Range Twenty-two (22) East, in the Village of Whitefish Bay, Milwaukee, County, Wisconsin, (constituting the homestead of said deceased), to Raymond H. P. Miller and Arline O'Connor, children, equally, subject to the homestead rights of Ida C. Miller, widow.

AND IT IS FURTHER ORDERED, That upon the payment and distribution of the personal property hereinbefore assigned, by said Executor and Executrix to and among the several parties thereto entitled, and upon filing with or exhibiting to the Court receipts for such payment and distribution, said estate be and the said hereby is declared to be finally settled, said Executor and Executrix released and discharged from all further liability upon said estate.

By the Court, -

John C. Karel, County Judge.

The Executor and Executrix having filed or ex hibited the receipts for the payments ordered by the within decree, the same is hereby made absolute, said Executor and Executrix discharged from all further liabilities.

Dated, Milwaukee, this 9th day of March, 1956.

By the Cour,

John C. Karel

County Judge

Filed for record in this office the 7th day of January, 1941 at 3 PM and recorded in Deed Record 111 on page 26 and examined. L. C. Walker, Judge of Probate, Shelby County, Alabama