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STATE OF INDIANA
CLERK OF SUPERIOR COURT
WILLIAM RECORDS
AUG 16 3 57 PM '02

LAST WILL AND TESTAMENT

I, ARTHUR D. SPAIN, a legal resident of INDIANA, now retired from the military service of the United States as a Master Sergeant, Service Number 20603759, being of sound and disposing mind and memory, and not acting under duress, coercion, or undue influence of any person whomsoever, do make, publish and declare this instrument as my LAST WILL AND TESTAMENT, hereby revoking all wills and codicils previously made by me.

FIRST. I direct that all my just debts and the expenses of my last illness, funeral and burial be paid as soon after my death as may be practicable.

SECOND. I give, devise and bequeath all the rest, residue and remainder of my estate and property of which I may be seized or possessed or to which I may be entitled at the time of my death, wherever situated or of whatever nature, be it real, personal or mixed, including lapsed legacies and any property over which I may have a power of appointment, to my beloved wife, FLORENCE SPAIN, as her sole and absolute property if she shall survive me, being fully confident that she will suitably provide for any children and adopted children of ours who shall survive me, but not imposing nor intending to impose any legal or equitable obligation on her to do so.

THIRD. In the event my said wife, FLORENCE SPAIN, shall not survive me, I give, devise and bequeath all of the said rest, residue and remainder of my estate and property, absolutely and forever, share and share alike, to our children, MARY JO SPAIN, DANIEL EDWARD SPAIN, MARK ARTHUR SPAIN, DENISE ANN SPAIN, and JANELLE LYNN SPAIN, and any child or children that may be born to us or adopted by us hereafter who shall survive me; but if any of our children or adopted children shall not survive me, then to the descendants of such child or children who may be living at my death, such descendants to take per stirpes and not per capita; in the event that any of our children or adopted children shall not survive me and also shall not be survived by descendants, then the share of any such child or children shall be divided among our surviving children and adopted children and the surviving descendants of any of our children who have not survived me, such descendants to take per stirpes and not per capita. If neither my wife, FLORENCE SPAIN, nor any child, adopted child or descendant of mine shall survive me, then I give, devise and bequeath all of the said rest, residue and remainder of my estate and property, absolutely and forever, in equal shares, to my brother, FRANCIS DE SALES SPAIN, and my sister in law, BERNICE KINNEY, or such of them as shall survive me.

FOURTH. Except as otherwise provided in this my LAST WILL AND TESTAMENT, I have intentionally omitted to provide herein for any other relatives or for any other person, whether claiming to be an heir of mine or not.

FIFTH. I hereby appoint my wife, FLORENCE SPAIN, of Highland, Indiana, as Executrix of this my LAST WILL AND TESTAMENT, and I request that she be permitted to serve without bond or surety thereon and without the intervention of any court or courts, except as required by law; I hereby authorize and empower my said Executrix, in her absolute discretion, to sell, exchange, convey, transfer, assign, mortgage, pledge, lease, or rent the whole or any part of my real or personal estate, to invest, reinvest, or retain investments of my said estate, and to perform all acts and to execute all documents which my said Executrix may deem necessary, convenient or proper in regard to my property; in the event that she shall predecease me or shall for any reason refuse or be unable to serve or to continue serving as Executrix hereof, then I hereby appoint THOMAS SMITH, Attorney-at-law, of Highland, Indiana, as Executor in her stead, to serve without bond or surety and with the same powers and authority.

Arthur D. Spain A.D.S. J.R. 1959

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LAST WILL AND TESTAMENT (Cont.)

SIXTH. In the event that I shall die leaving a minor child or children surviving me and my said wife shall not survive me, I hereby appoint my sister in law, BERNICE KINNEY, of Clinton, Iowa, or, if she shall predecease me, or be unable or unwilling to act in such capacity, then my sister in law, GERTRUDE MONTGOMERY, of Clinton, Iowa, as Guardian of the person and property of each minor child of mine who shall survive me, during his or her minority.

IN WITNESS WHEREOF, I have, at Fort Sheridan, Illinois, this 7 day of September 1967, set my hand and seal to this my LAST WILL AND TESTAMENT, consisting of two typewritten pages, this included, the preceding page hereof bearing my signature.

Arthur D. Spain (SEAL)

The foregoing instrument, consisting of two typewritten pages, this included, was, at Fort Sheridan, Illinois, this 7 day of September 1967, signed, sealed, published and declared by ARTHUR D. SPAIN, the above-named Testator, to be his LAST WILL AND TESTAMENT in the presence of all of us at one time, and, at the same time we, at his request and in his presence and in the presence of each other, have hereunto subscribed our names as attesting witnesses, and we do verily believe that the said Testator is of sound and disposing mind and memory at the date hereof.

NAME	ADDRESS
<u>Arthur M. Haessig</u>	<u>1064 Summit St. Paul, Minn.</u>
<u>Arthur P. Lewis WA610847</u>	<u>WAC DET USAF Ft Sheridan Ill</u>
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