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**LAST WILL AND TESTAMENT**

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2005 ~~05~~ 050125  
**CRYSTAL BAILEY**

2005 JUL 17 AM 9:45

MICHAEL J. ...  
RECORDER

I, Crystal Bailey, domiciled in Morgan County, Kentucky, do make, publish and declare this to be my last Will and Testament, hereby revoking all wills and codicils heretofore made by me.

**ARTICLE I  
PAYMENT OF DEBTS, EXPENSES AND COSTS**

I direct that all of my just debts, my funeral expenses (including the cost of a suitable monument at my grave) and the costs of administration of my estate be paid from my estate as soon as practicable after my death. My executors shall pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions, if any.

I further direct that any primary obligations of mine secured by mortgage on any real estate (whether owned by me jointly or individually) or secured by pledge of or lien against any of my personal property or life insurance, be treated as obligations of my estate, and that no part of such debts be charged or paid other than to or by my said estate.

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**ARTICLE II  
PAYMENT OF DEATH TAXES**

I direct that all inheritance, estate, succession, legacy, transfer and other death taxes that may be by reason of my death be attributable to my probate estate or any portion of it, or to any property or transfers of property outside of my probate estate, shall be paid by my Executors from my estate without adjustment among the beneficiaries, and shall not be charged against or collected from any beneficiary of any property outside of my probate estate.

**ARTICLE III  
BEQUESTS**

I bequeath to my husband, Delbert Bailey, in fee, all clothing, jewelry, household goods, personal effects, automobiles, securities and all other tangible and intangible personal property owned by me at the time of my death and not otherwise specifically bequeathed. I direct that any expenses incurred in safeguarding or delivering such property be paid from my estate as an administration expense thereof.

If my said husband, Delbert Bailey, shall not survive me, then I bequeath, in fee, all of the

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aforesaid property in equal shares to my children or their issue if any shall have predeceased me, per stirpes.

If my said husband, Delbert Bailey, shall not survive me, and if there are no issue of mine surviving at my death, then I bequeath, in fee, all of the aforesaid property to my heirs at law, determined under Kentucky law in effect at my death.

#### **ARTICLE IV DEVICES**

I devise to my husband, Delbert Bailey, in fee, all real property, together with all improvements thereon and all fixtures thereto, owned by me at the time of my death, and not otherwise specifically devised.

If my said husband, Delbert Bailey, shall not survive me, then I devise, in fee, all of the aforesaid real property to my children or their issue if any shall have predeceased me, as tenants in common, per stirpes.

If my said husband, Delbert Bailey, shall not survive me, and if there are no issue of mine surviving at my death, then I devise, in fee, all of the aforesaid real property to my heirs at law, determined under Kentucky law in effect at my death, as tenants in common.

#### **Document is ARTICLE V DISPOSITION OF RESIDUE!**

All the rest, residue and remainder of the property that I may own at the time of my death, real, personal and mixed, tangible and intangible, of whatsoever nature and wheresoever situated, including all property that I may acquire or become entitled to after the execution of this Will, including all lapsed legacies, devisees or other gifts made by this Will that fail for any reason, I bequeath and devise, in fee, to my husband, Delbert Bailey.

If my said husband, Delbert Bailey, shall not survive me, then I bequeath and devise, in fee, all of the aforesaid rest, residue and remainder in equal shares to my children or their issue if any shall have predeceased me, per stirpes.

If my said husband, Delbert Bailey, shall not survive me, and if there are no issue of mine surviving at my death, then I devise, in fee, all of the aforesaid rest, residue and remainder to my heirs at law, determined under Kentucky law in effect at my death.

#### **ARTICLE VI CHILDREN**

At the time of the execution of this Will, I have three (3) children, namely Kathy Bailey, Lori Holbrook, and Randall Bailey. If, subsequent to the execution of this Will, there shall be an additional child or children born to me (or adopted by me) and if any such child or children (or issue thereof) shall survive me, then, in such event, such child or

children (or issue thereof) shall share in the benefits of my estate to the same extent as my children hereinabove named and their issue.

**ARTICLE VII**  
**TIMING OF PAYMENT**

I direct that my Executors shall use all reasonable efforts to make payment of the pecuniary legacies made in this Will and any codicil hereto within six months after the date on which this Will is admitted to probate, subject only to adequate provision for the satisfaction of my estate's obligations to pay claims, debts, taxes and costs of administration.

**ARTICLE VIII**  
**APPOINTMENT OF JOINT EXECUTORS**

I hereby appoint my daughters, Kathy Bailey and Lori Holbrook, to be the Joint Executors of this my Last Will and Testament, and I direct that no surety be required on the bond of either of them as Joint Executors hereunder.

If either of my said daughters shall predecease me or for any reason shall fail to qualify as Executor hereunder (or, having qualified, shall die, resign or be removed), then, in such event, I make, nominate and appoint the survivor as the sole Executor of my estate, and I direct that no surety be required on the bond of her, as the sole Executor hereunder.

**ARTICLE IX**  
**POWERS OF EXECUTOR**

I hereby vest my said daughters, Kathy Bailey and Lori Holbrook, acting jointly, with full, continuing, absolute, discretionary power and authority to deal with any property, real or personal, held in my estate as freely as I might in the handling of my own affairs, including, without limitation, the power and authority to sell, transfer and convey any property, real or personal, that I may own at the time of my death, at such time and price and upon such terms and conditions as my Joint Executors may determine, and to do every other act and thing necessary or appropriate, in my Joint Executors' sole discretion, for the complete administration of my estate. Such power may be exercised independently and without the prior or subsequent approval of any court or judicial authority, and no person dealing with my Joint Executors shall be required to inquire into the propriety of any of their actions.

Any Alternate Executor shall possess and exercise all powers and authority hereinabove conferred on my Joint Executors, named above.

**ARTICLE X**  
**LAPSE OF BEQUEST/DEVISE**

Any person who fails to survive me by forty-eight (48) hours (or who dies under such

circumstances that there is not sufficient evidence to determine that such person survived me by forty-eight hours) shall be deemed to have predeceased me for purposes of succession to property under this Will.

**ARTICLE XI  
STATUS OF BENEFICIARY**

Notwithstanding anything contained in this Will to the contrary, and for all purposes of this Will and the disposition of my estate hereunder, the terms "children," "issue," and "descendants" shall be deemed to include (i) all persons so related by blood and (ii) all persons adopted prior to attaining eighteen (18) years of age.

**IN TESTIMONY WHEREOF**, I have hereunto subscribed my name to this my last Will and Testament, consisting of this page, 3 preceding typewritten pages, and the notary page, and for the purpose of identification I have initialed each such page, and, being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last Will and Testament and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence, all on this 21st day of September, 1999, at Lexington, Kentucky.

**Document** Crystal Bailey  
Crystal Bailey  
**NOT OFFICIAL!**

**This Document is the property of**

We, the witnesses, sign our names to the foregoing instrument, consisting of this page, 3 preceding typewritten pages, and the notary page, and, being first duly sworn, do hereby declare to the undersigned authority that the Testatrix signed and executed this instrument to be her last Will and Testament, that she signed it willingly, and that each of us, in the presence and hearing of the Testatrix and in the presence of each other, hereby signs this Will as witness to the Testatrix's signing, and that, to the best of our knowledge, the Testatrix is eighteen years of age or older, of sound mind and under no constraint or undue influence, all on this 21st day of September, 1999, at Lexington, Kentucky.

Michael C. SLONE  
Print Name

[Signature]  
Signature



residing at 2194 Old Paris Road  
Street Address

Lexington Ky 40502  
City, State, Zip

Karen M. Long  
Print Name

Karen M. Long  
Signature

residing at 2037 Mount Joy Place  
Street Address

Lexington Ky 40503  
City, State, Zip

Testatrix's Initials CB

**ACKNOWLEDGEMENT**

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

The foregoing Last Will and Testament was subscribed, sworn to and acknowledged before me by Crystal Bailey, the Testatrix, and by Karen M. Long and Michael C. Slone, witnesses, this 21st day of September, 1999.

Notary Public

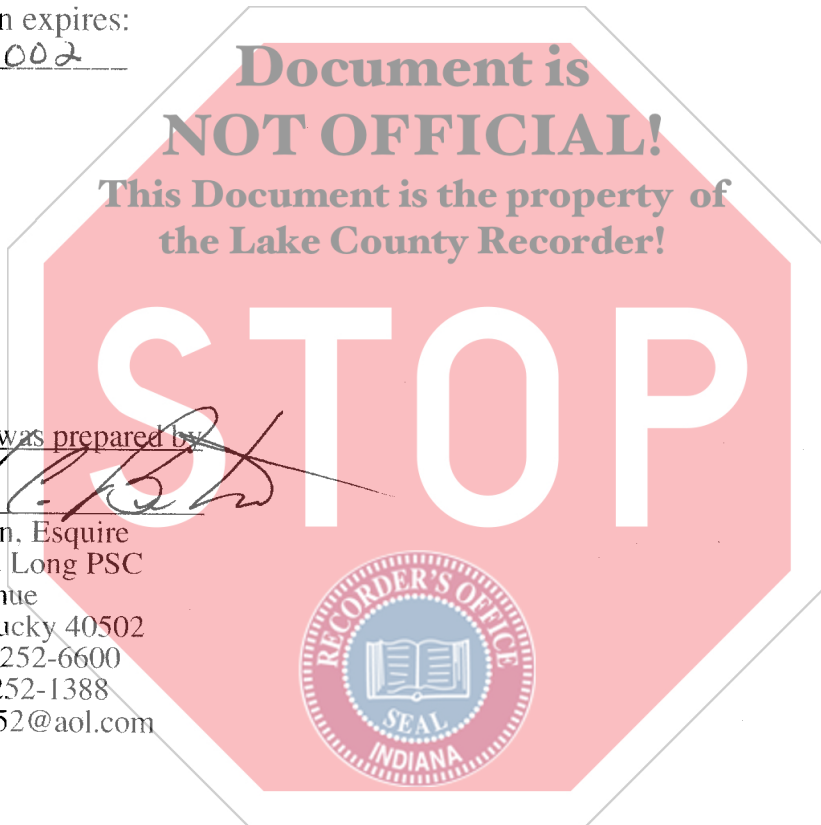
Melanie H. Sennett

Signature

Melanie H. Sennett

Print Name

My commission expires:  
Feb. 2, 2002



This instrument was prepared by

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