

***LAST WILL AND TESTAMENT
OF
WALTER E. SAHM, JR.***

I, WALTER E. SAHM, JR. , of the State of Florida, being of full age, sound mind and memory, and under no restraint, do publish this my Last Will and Testament, revoking all other wills and codicils by me heretofore made.

ARTICLE I

A. I direct my Personal Representative to consult with the Trustee of my Revocable Living Trust to determine whether any expense or tax shall be paid from my Trust or from my probate expense.

B. I authorize my personal representative to pay from my probate estate all of the expenses of my last illness, funeral expenses, lawful claims, and fees and costs of administration, as soon as practicable following the date of my death. I also authorize my personal representative to pay from my probate estate all federal and state estate taxes that are payable because of my death, even though property that is included in the determination of said taxes does not pass under this Will. Insofar as possible, I direct that the payment of said claims, expenses, and taxes shall be made as an expense of administration without apportionment to anyone and without seeking contribution from anyone.

C. I authorize my personal representatives to call upon said Trustees under said trust agreement to pay either directly or through my personal representative said taxes, claims, expenses, fees, and costs or so much thereof as my personal representative deems necessary or

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advisable in the event the assets of my probate estate are insufficient to pay said items or in the event in the judgment of my personal representative the property available for the payment thereof should not be sold in order to make said payments.

ARTICLE II

I may leave a written statement or list disposing of certain items of tangible personal property not otherwise disposed of herein. Any such statement or list in existence at the time of my death shall be determinative with respect to all items devised therein. If no written statement or list is found and property identified by my Personal Representative within thirty (30) days after my demise, it shall be presumed that there is no such statement or list and any statement or list discovered subsequently shall be ignored.

ARTICLE III

*I give all of my tangible personal property and belongings to my wife, **PATRICIA A. SAHM**. If my wife does not survive me by thirty (30) days, I give all of my tangible personal property to that certain trust known as **THE WALTER E. SAHM, JR. & PATRICIA A. SAHM REVOCABLE FAMILY LIVING TRUST** dated AUG 31 1999 .*

ARTICLE IV

I give all my residuary estate, being all property, real and personal, wherever situated, in which I may have any interest at my death, not otherwise effectively disposed of, but not including any property over which I have power of appointment, to the acting Trustee or Trustees

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of that certain trust already created by me and known as **THE WALTER E. SAHM, JR. & PATRICIA A. SAHM REVOCABLE FAMILY LIVING TRUST** dated AUG 31 1999, as in effect at my death of which I am now Trustee, to be distributed in accordance with the terms of that agreement and any amendments made pursuant to its terms. Said Trust Agreement was signed before this Will.

ARTICLE V

A. I name my wife, **PATRICIA A. SAHM**, as personal representative of this Will. In the event my wife predeceases me or is unwilling or unable to act as Personal Representative, I appoint my daughter, **PATRICIA SAHM**, of Clifton, New Jersey and my daughter, **JOANNA SAHM**, of Ft. Lauderdale, Florida as Grantor's true and lawful successor co-attorneys-in-fact in Grantor's name and for Grantor's use and benefit, to act with full authority and power to act as the original attorney-in-fact. In the event either **PATRICIA SAHM** or **JOANNA SAHM** is unable or unwilling to act, then either **PATRICIA SAHM** or **JOANNA SAHM** may act alone as Grantor's sole attorney-in-fact.

B. In addition to the powers granted by law, I give my personal representative the powers set forth in the following subparagraphs.

(1) My personal representative may sell, exchange, lease, or encumber any assets of my estate upon such terms as my personal representative may deem appropriate.

(2) My personal representative may borrow money, grant security interests, and execute mortgages, deeds of trust, and other instruments creating security interests upon such terms as my personal representative may deem

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appropriate.

(3) My personal representative may compromise and adjust any claims against or on behalf of my estate upon such terms as my personal representative may deem appropriate.

(4) My personal representative may distribute to beneficiaries in cash or in kind.

C. I direct my personal representative to make such elections under the tax laws as my personal representative deems advisable, including an election to create qualified terminable interest property, without regard to the relative interests of the beneficiaries. Any such elections shall be binding and conclusive on all persons.

D. My personal representative shall be empowered to and shall follow the direction of the then trustees of said trust agreement whether or not to elect to qualify all or any portion of the pecuniary marital deduction trust provided for in said trust instrument for federal estate tax marital deduction under said Code. Generally, I anticipate that my trustees shall direct my personal representative to minimize or eliminate entirely the federal and state taxes payable by my estate; however, I also anticipate that some consideration be given to the federal and state estate taxes payable in the estate of my spouse upon his or her subsequent death, especially if my spouse should die prior to the time the election is made. Further, my personal representative shall be empowered to and shall follow the directions of said trustees whether or not to elect to qualify any trust assets for the generation-skipping transfer tax exemption under said Code.

E. Should **THE WALTER E. SAHM, JR. & PATRICIA A. SAHM REVOCABLE FAMILY LIVING TRUST** be deemed invalid for any reason, then the residuary provision of said



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Trust shall be incorporated into this Will, as if stated in full herein.

F. Notwithstanding any other provisions to the contrary herein, if my spouse dies within six (6) months of the date of my death, I direct that the foregoing gifts to my spouse and to said trustees shall be adjusted in amount so that my estate and my spouse's estate each will be subject to the lowest same tax rate for federal estate tax purposes.

*G. If my surviving spouse, in compliance with applicable law, disclaims or renounces any portion or all of the properties directed to my surviving spouse, then any such properties shall be given to the then acting Trustee of the Credit Shelter Trust of that certain Trust already created by me and known as **THE WALTER E. SAHM, JR. & PATRICIA A. SAHM REVOCABLE FAMILY LIVING TRUST** dated AUG 31 1999, as in effect at my death. Such assets or properties shall be distributed in accordance with the terms of that Trust Agreement and any amendments made pursuant to its terms.*

*H. Any automobile or other titled vehicle which I may own at the time of my demise shall be devised outright to my surviving spouse, **PATRICIA A. SAHM**. If **PATRICIA A. SAHM** predeceases me then such automobile shall be distributed to the Successor Trustee of **THE WALTER E. SAHM, JR. & PATRICIA A. SAHM REVOCABLE FAMILY LIVING TRUST, UTD, AUG 31 1999**.*

ARTICLE VI

A. I request that my Personal Representative make the following arrangements following my death:

(1) I desire to be buried in a normal burial plot.



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IN WITNESS WHEREOF, I have hereunto set my hand and placed my initials in the margins of the preceding pages, in the presence of two (2) witnesses, and declare this to be my Last Will and Testament on AUG 31 1999.

Walter E. Sahm, Jr.
WALTER E. SAHM, JR.
Testator
[REDACTED]
Social Security Number

The foregoing instrument was signed, sealed, published, and declared by **WALTER E. SAHM, JR.** of Boca Raton, Florida and for his Last Will and Testament in the presence of us, the undersigned witnesses, who at his request and in his presence and in the presence of each other have hereunto subscribed our hands as attesting witnesses thereto on this date of AUG 31 1999.

Maureen West of 2825 Northwest 45th Street
Witness Boca Raton, Florida 33434

MAUREEN WEST
Printed Name

Lindsay Townsend of 1871 Lyons Road
Witness Coconut Creek, Florida 33067

LINDSAY TOWNSEND
Printed Name


W.E.S.
W.E.S.

SELF PROOF OF WILL


STATE OF FLORIDA)

COUNTY OF PALM BEACH)

We, **WALTER E. SAHM, JR.**, **MAUREEN WEST**, and **LINDSAY TOWNSEND**, the Testator and the witnesses respectively, whose names are signed to the attached and foregoing instrument, having been sworn, declared to the undersigned officer that the Testator, in the presence of the witnesses, signed the instrument as his Last Will, that he signed and that each of the witnesses, in the presence of the Testator and in the presence of each other, signed the Will as a witness.



WALTER E. SAHM, JR.
Testator




WITNESS




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SUBSCRIBED AND SWORN TO before me by **WALTER E. SAHM, JR.** who is personally known to me or who has produced a Florida driver's license as identification and who did take an oath, and by **MAUREEN WEST** and **LINDSAY TOWNSEND**, the Testator and witnesses respectively on this date of AUG 31 2001 .



Notary Public



W.E.S.

 John K Eastham, Jr
My Commission CC674179
Expires September 26 2001