

Last Will and Testament of

EVELYN F. LABULIS

I, EVELYN F. LABULIS, residing in the City of Syracuse, County of Onondaga State of New York, being of sound mind and memory, hereby revoking all former and other Wills and Testamentary dispositions by me heretofore made, do hereby make, publish and declare this to be my Last Will and Testament in the manner and form following:

FIRST: I direct that all debts to which I am legally obligated, funeral expenses and expenses of administering my estate be paid as soon after my decease as conveniently can be done.

SECOND: I give, devise and bequeath to my son, JOSEPH LABULIS, my yarn cabinet, swivel table, china closet with rounded window, kitchen table and six (6) chairs, to be his absolutely and forever.

THIRD: I give, devise and bequeath to my daughter, ROBERTA CUMMINGS, my large television set in living room, sewing machine, collection of liquor decanters and my bedroom set, to be hers absolutely and forever.

FOURTH: I give, devise and bequeath the dishes in my two china closets to be divided equally to my daughters, CAROL LEE ALJEN and ROBERTA CUMMINGS, to be theirs absolutely and forever.

FIFTH: I give, devise and bequeath to my daughter, CAROL LEE ALJEN, the small black and white television set and china closet with small window, to be hers absolutely and forever.

SIXTH: I give, devise and bequeath to my daughter-in-law, BARBARA JEAN LABULIS, my piggy collection and one set of

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good china in my pantry to be hers absolutely and forever.

SEVENTH: I give, devise and bequeath to my granddaughter, CONNIE LYNN CUMMINGS, one heart plat table to be hers absolutely and forever.

EIGHTH: All the rest, residue and remainder of my estate, real, personal and mixed, of which I may die, seized and possessed or to which I may become entitled, I give, devise and bequeath to my beloved husband STEVE J. LABULIS, to have and to hold the same to him absolutely and forever. If he should not survive me, then I give, devise and bequeath my estate in equal shares to JOHN LABULIS, JOSEPH LABULIS, WILLIAM TEABO, CAROL LEE ALLEN and ROBERTA CUMMINGS, per stirpes and not per capita, to be theirs absolutely and forever.

NINTH: Any share of my estate to which any minor shall become entitled is to be held in trust for the benefit of such minor child or children by my trustees for the following uses and purposes: To manage, invest and re-invest the same; to collect the income thereof and to apply the net principal thereof to the extent that he or she may deem advisable for the general use and benefit of such minor child or children, until the minor becomes the age of twenty-one (21) years, the remaining principal of the trust and any accumulated income shall be conveyed, transferred and paid over to such minor upon the prior death of such minor to his or her executor or administrator.

TENTH: If my said husband, STEVE J. LABULIS shall die simultaneously with me or under such circumstances as to render it impossible to determine who predeceased the other, or shall die within one month of my decease, I hereby declare it my Will that I was survived by my beloved husband and that this will -- 11

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its provisions shall be construed upon that assumption and basis.

FIFTEENTH: I authorize, empower and direct my Executor and Trustee hereinafter named, to lease, mortgage, sell and dispose of any property, real, personal and mixed, of which I shall die, seized or possessed, at public or private sale, at such times and on such terms and conditions as he or she shall deem meet or proper and to execute, acknowledge and deliver all proper writings, deeds of conveyance and transfers thereof.

TWELFTH: I nominate, constitute and appoint my husband, STEVEN J. LABULIS, Executor, and Trustee of this my Last Will and Testament. If he should predecease me, then I nominate, constitute and appoint JOHN LABULIS and JOSEPH LABULIS, Co-Executors and Co-Trustees of this, my Last Will and Testament, and I direct that any executor, executrix, Guardian and Trustee by me named in this Will shall not be required to give any bond or other security for the faithful performance of his or her duties under this my Last Will and Testament, any law or rule of practice now in force in any jurisdiction to the contrary notwithstanding.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal to this instrument, consisting of three (3) typewritten pages, including this page at the end thereof, at Solvay, in the County of Onondaga and State of New York, on this 6th day of August, in the year Nineteen Hundred Ninety-Two, in the presence of Francis R. Rivette, and LuAnn Kowalewski whom I have requested to become attesting witnesses hereto.

Evelyn F. Labulis
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THE FOREGOING INSTRUMENT CONSISTING of three (3) typewritten pages, including this page, were subscribed, sealed, published and

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declared by EVELYN F. LABULIS, as and for her Last Will and Testament, in our presence and in the presence of each of us, and we at the same time, at her request, and in her presence and in the presence of each other, do hereunto sign our names and residences as attesting witnesses, this clause having first been read by each of us, and we now intending to certify that the matters herein stated took place in fact and in the order therein state on the 6th day of August, in the year Nineteen Hundred Ninety-Two, and each of us hereby certifies that at the time of such subscribing, sealing, publishing and declaring that EVELYN F. LABULIS, was of sound and disposing mind and memory and not under restraint.

Lucas K. Kovaland residing at Syracuse, N.Y.
Frank Smith residing at Tuolumne, N.Y.