

**Will**

**Will of**  
**ALAN FRANCIS JONES**

# Will

I, ALAN FRANCIS JONES, declare this to be my Will and revoke all former Wills and Codicils. I am a resident of BETHANY BEACH, SUSSEX COUNTY, DELAWARE.

1. MARITAL STATUS AND FAMILY. I am married to JANE ANNE JONES who in this Will is referred to as "my wife".

I have two children whose names and dates of birth are:

EVELYN MARIE JONES    11/15/1997

MARK SEAN JONES    3/17/1999

2. EXECUTOR. The following terms and conditions shall apply to the executor of this Will.

A. NOMINATION OF EXECUTOR. I nominate my cousin MICHAEL FRANCIS HAYES as executor of this my Will. If MICHAEL FRANCIS HAYES shall for any reason fail, decline or refuse to qualify or cease to act as executor, then I nominate AMANDA HUGHES as executor of this my Will. I direct that no bond shall be required of any executor.

B. EXECUTOR'S POWERS. In administering my estate, my executor or other personal representative shall have all the powers granted by law. It is my intention that the probate of my Will be conducted as simply and as free of court supervision as possible.

It being my intention to confer the broadest and fullest powers, authority and discretion, the following are by way of illustration and not by way of limitation, in administering my estate my executor is authorized and empowered:

## Will

1. to collect and hold all assets;
2. to sell, lease, exchange and buy real and personal property;
3. to liquidate, open, and administer checking, savings, and other bank types of accounts;
4. to sell, buy and hold stocks, bonds and other financial institution types of accounts;
5. to settle, compromise and adjust any claims including the payment of taxes and debts;
6. to arrange ancillary probate of any real or other property in other states;
7. to make division or distribution of my estate in kind, in money, or partly in both;
8. to continue any business of mine in any form, with the power to intentionally change the form, as shall be in the best interests of my estate;
9. to hire attorneys, accountants and others to assist in the administration and at the expense of my estate;
10. to do all other acts, which in his or her judgment may be necessary or appropriate for the proper and advantageous management, investment, and distribution of my estate.

3. PERSONAL GUARDIAN. If at the time of my death any of my children remain minors, and a personal guardian is needed, then, my brother-in-law JOHN HAMILTON shall be the personal guardian of my minor children. If JOHN HAMILTON fails, declines, or refuses to qualify as personal guardian, then BETSY BUHL shall be the personal guardian of my minor children.

## Will

I direct that no bond be required of any personal guardian.

4. PROPERTY GUARDIAN. If at the time of my death any of my children remain minors, and a property guardian is needed, then, my brother-in-law JOHN HAMILTON shall be the property guardian of my minor children. If JOHN HAMILTON fails, declines, or refuses to qualify as property guardian, then BETSY BUHL shall be the property guardian of my minor children.

I direct that no bond be required of any property guardian.

5. SPECIFIC GIFTS. I leave the following specific gifts

(a) one thousand dollars (\$1000) to my friend KEVIN HUDSON or, if KEVIN HUDSON does not survive me, to ALFRED HUDSON.

(b) one thousand five hundred dollars (\$1500) to my niece MONICA HAYES or, if MONICA HAYES does not survive me, to JOHN HAMILTON.

(c) My collection of cameras and photography equipment to my friend GREGOR WALLACE or, if GREGOR WALLACE does not survive me, to MONICA HAYES.

(d) all my shares in Motorola to my sister-in-law BETSY BUHL or, if BETSY BUHL does not survive me, to MARK SMITH.

6. RESIDUARY ESTATE. I leave the rest of my property not otherwise specifically and validly disposed of by this Will or in any other manner, including lapsed or failed gifts, to my wife JANE ANNE JONES or, if she does not survive me, in equal shares to such of EVELYN MARIE JONES and MARK SEAN JONES as shall survive me. If any of EVELYN MARIE JONES and MARK SEAN JONES

## Will

shall die in my lifetime leaving children who shall survive me then such children shall take in shares between them if more than one the share which their parent would otherwise have taken. Otherwise the residue of my estate shall pass as follows:

the remainder of my estate shall pass in equal shares to my brother MICHAEL JONES and my brother-in-law JOHN HAMILTON and my brother-in-law JIM DOW as shall be living at the date of my death provided that if any of them shall die in my lifetime leaving children who shall survive me then such children shall take in equal shares between them if more than one the share which their parent would otherwise have taken.

7. FAMILY POT TRUST. All property I leave by this Will to the children listed in Section A below shall be held for them in a single trust, the family pot trust.

A. TRUST BENEFICIARIES.

EVELYN MARIE JONES

MARK SEAN JONES

If all of the beneficiaries of the family pot trust have attained the age of eighteen (18) years at the date of my death, no family pot trust shall be established, and the property left to them shall be distributed to them outright.

Any trust beneficiary who survives me but dies before the family pot trust terminates, shall be excluded as a continuing beneficiary and the interest in the trust of that beneficiary shall pass to the surviving beneficiaries of the

## Will

family pot trust.

B. TRUSTEE OF THE FAMILY POT TRUST. The trustee shall be my brother-in-law JOHN HAMILTON or, if JOHN HAMILTON cannot serve as trustee, the trustee shall be BETSY BUHL. I direct that no bond shall be required of any trustee.

### C. DUTIES OF THE FAMILY POT TRUSTEE

1. The trust is to be expended for the health (including medical, dental, and other health care of all kinds), education, support and maintenance of the beneficiaries. The trustee is empowered to consume the entire corpus of the trust to accomplish the foregoing.

2. The trustee shall take into account the relative needs of each beneficiary when deciding whether to expend trust assets. In doing so, the trustee has the sole discretion to determine the distribution of trust assets among the beneficiaries.

D. TERMINATION OF THE FAMILY POT TRUST. When the youngest surviving beneficiary of this family pot trust attains the age of eighteen (18) years, the trustee shall distribute the remaining trust assets to the surviving beneficiaries in equal shares. If none of the trust beneficiaries survives to attain the age of eighteen (18) years, at the death of the last surviving beneficiary the trust shall be distributed outright to the other beneficiaries of my estate in proportion to their participation in distribution(s) from my estate as otherwise provided.

E. POWERS OF THE TRUSTEE. It is my intention that the trust be administered as free of court supervision as possible.

In administering the trust, the trustee shall have all the powers granted by

## Will

law including the power:

1. to collect and hold all assets;
2. to sell, lease, exchange and buy real and personal property;
3. to liquidate, open, and administer checking, savings, and other bank types of accounts;
4. to sell, buy and hold stocks, bonds and other financial institution types of accounts;
5. to settle, compromise and adjust any claims including the payment of taxes and debts;
6. to make division or distribution of my estate in kind, in money, or partly in both;
7. to enter or continue any business in any form, with the power to intentionally change the form, as shall be in the best interests of the trust;
8. to hire attorneys, accountants and others to assist in the administration and at the expense of the trust;
9. to pay himself or herself reasonable compensation from trust assets for administering the trust;
10. to distribute trust assets directly to the beneficiaries or to other people or organizations on behalf of the beneficiaries;
11. to do all other acts, which in his or her judgment may be necessary or appropriate for the proper and advantageous management, investment, and distribution of the trust.

The invalidity of any trust provision shall not affect other trust provisions

**Will**

that can be given effect without the invalid provision.

**8. INTERPRETATION OF THIS WILL**

For the purposes of this Will, any beneficiary is to be considered as not surviving me in the event that he or she dies within thirty (30) days of the date of my death.

All property that I leave by this Will shall pass subject to any encumbrances or liens on the property.

As used in this Will and to the extent appropriate the masculine, feminine and neuter gender shall include the other two genders, and the singular shall include the plural, and the plural shall include the singular.

IN WITNESS WHEREOF, I, ALAN FRANCIS JONES sign my name to this instrument this \_\_\_\_\_ Day of \_\_\_\_\_ Two Thousand and \_\_\_\_\_

and do hereby declare that I sign and execute this instrument as my last Will, that I execute it as my free and voluntary act for the purposes expressed herein and that I am eighteen years of age or older, of sound mind and under no constraint or undue influence

ALAN FRANCIS JONES \_\_\_\_\_

Witnesses.

**Will**

On this \_\_\_\_\_ day of \_\_\_\_\_ Two thousand and \_\_\_\_\_ ALAN FRANCIS JONES declared to us, the undersigned, that this instrument was his Will and requested us to act as witnesses to it. We understand this is his Will. He thereupon signed this Will in our presence, all of us being present at the same time. We now, at his request, in his presence and in each other's presence, sign below as witnesses. We believe ALAN FRANCIS JONES is of sound mind and memory and that to the best of our knowledge he is eighteen years of age or older and under no constraint or undue influence.

We declare under penalty of perjury that the foregoing is true and correct this \_\_\_\_\_ day of \_\_\_\_\_ Two thousand and \_\_\_\_\_.

Witness #1

Signature \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
County \_\_\_\_\_  
State \_\_\_\_\_

Witness #2

Signature \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
County \_\_\_\_\_  
State \_\_\_\_\_

**Will**

Witness #3

Signature \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

County \_\_\_\_\_

State \_\_\_\_\_