

PROBATE COURT OF ALLEN COUNTY, OHIO  
TODD E. KOHLRIESER, JUDGE

ESTATE OF CAROL J. MUSSER

**DECEASED**

CASE NO. 2023 ES 270

FILED  
JUL 23 AM 9:17  
TODD E. KOHLRIESER, JUDGE  
PROBATE COURT OF ALLEN COUNTY, OHIO

**APPLICATION TO PROBATE WILL**

[R.C. 2107.11, 2107.18, and 2107.19]

Applicant states that decedent died on May 16, 2023

Decedent's domicile was 166 Huber Street

Street Address

Bluffton

Allen

City or Village, or Township if unincorporated area

County

Ohio

45817

Post Office

State

Zip Code

A document purporting to be decedent's last will is attached and offered for probate, and applicant waives notice of probate of this will.

Decedent's surviving spouse, children, next of kin, and legatees and devisees, known to applicant, are listed on the attached Form 1.0.

Katrin E. McBroom 0001337  
Attorney for Applicant

Trisha M. Stewart  
Applicant

Katrin E. McBroom

Trisha M. Stewart

Typed or Printed Name

Typed or Printed Name

7255 Crossleigh Court, Suite 104

2251 Hamilton Road

Address

Address

Toledo, Ohio 43617

Lebanon, Ohio 45036

(419) 517-7377

(419) 231-1697

Phone Number (include area code)

Phone Number (include area code)

Attorney Registration No. 0095849

**WAIVER OF NOTICE OF PROBATE OF WILL**

The undersigned, being persons entitled to notice of the probate of this will, waive such notice. After a certificate is filed evidencing these waivers and any notices given, any action to contest the validity of this will must be filed not more than three months after the filing of the certificate for estates of decedents who die on or after January 1, 2002, and no more than four months after the filing of the certificate for estates of decedents who die before January 1, 2002.

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FILED

LAST WILL AND TESTAMENT  
OF  
CAROL J. MUSSER

2023 ES 270

2023 JUN 23 AM 9:47

JUDGE

I, **CAROL J. MUSSER**, a resident of Allen County Ohio, make, publish, and declare this to be my Last Will and Testament, and hereby revoke all prior Wills and Codicils.

ITEM I. I am widowed. I currently have **Four (4)** children, namely, **KAREN S. MUSSER, CHRISTINE A. THOMPSON, TRISHA M. STEWART, and SANDRA K. WADE**. All references to my children include not only the above children, but also any children hereafter born to or adopted by me. Any child of mine born out of wedlock, and anyone claiming through such child, and any issue born out of wedlock of a male child of mine, and anyone claiming through such child, shall not be deemed my issue for purposes of inheriting under my Last Will and Testament.

ITEM II. I direct that all estate, inheritance, and other taxes levied against my estate or any succession thereto, be paid as debts of my estate, without reimbursement being required or requested from any beneficiary hereunder, or from any beneficiary of any life insurance upon my life, or from any beneficiary succeeding to any property interest by virtue of survivorship or otherwise; provided, however, that any tax imposed by Chapter 13 of the Internal Revenue Code or Internal Revenue Code Section 2044, or caused by the inclusion of property in my gross estate by virtue of Internal Revenue Code Section 2041 or Ohio Revised Code Section 5731.11, or any successor Chapter or Section of the Internal Revenue Code or Ohio Revised Code, shall be charged to the property causing the tax in the manner provided by applicable law.

ITEM III. I bequeath all my tangible personal property, such as jewelry, wearing apparel, household furniture and goods, and similar articles of domestic and personal use, and any automobiles to which I may hold title at the time of my death, in equal shares to such of my children who survive me to be divided amongst them as they may decide. In the event that my surviving children do not agree upon a division of such property within a reasonable time following my death, then I direct my Personal Representative to make such division and the division made by my Personal Representative under such circumstances shall be binding and final. If none of my children survive me, such tangible personal property shall become a part of my residuary estate.

ITEM IV. All the rest, residue, and remainder of my estate, of whatever nature and wherever situated, I devise and bequeath to the acting successor Trustee ("Trustee") of the **CAROL J. MUSSER TRUST** dated August 17, 2016, as thereafter amended ("Trust"). It is not my intention or desire to incorporate the above-described Trust into my Last Will and Testament, and receipt by the Trustee for the property devised and bequeathed to it hereunder shall constitute a complete release and acquittance of my Personal Representative and shall discharge my Personal Representative from any liability or accountability therefor.

ITEM V. I appoint my daughter, **TRISHA M. STEWART** as Executor of this Will. If, for any reason, **TRISHA M. STEWART** shall fail to qualify or decline to serve as Executor, or, after qualifying, should cease to act in such capacity before completing the administration of my estate, then I appoint **CHRISTINE A. THOMPSON** as Executor, if she should decline or fail to qualify, I then appoint **KAREN S. MUSSER**, if she should decline or fail to qualify, I then appoint my daughter, **SANDRA K. WADE**, with the same powers, duties and immunities.